

2022 Minutes of the Somerville Licensing Commission

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**City of Somerville
Licensing Commission**

Regular Meeting by Remote Participation

**DRAFT OF THE
Minutes of the Regular Meeting
Monday,
January 10, 2022, at 6:00pm
Posted Monday, February 14, 2022, at 2:25pm**

The meeting was called to order at 6:01pm. Present were Commissioners, Lynch, Allen, and Thomas, Capt. Dennis Sullivan of the Fire Dept., Lt. Timothy Mitsakis of the Police Dept., Secretary to the Commission Lori Batzek, City Clerk, Kim Wells, Assistant City Clerk, Bernabe Rodriguez, Director of Engineering, Brian Postlewaite, Director of Economic Development Thomas Galligani, Members of the City Staff, Applicants and members of the public.

The meeting adjourned at 8:50pm

A recording of this meeting is available online

**Monday
Regular Licensing Commission Meeting
January 10, 2022
6:00pm
Published Monday, January 3, 2022 at 4:30pm
Published, Monday, January 10, 2022 at 2:30pm**

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/6505819517687810573>

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 Special Licensing Commission Meeting from 9/2/21

The commission approved these minutes on a roll call vote with 2 in favor (Allen, Lynch), 0 opposed and 1 abstained (Thomas)

2. Minutes of the Regular Licensing Commission Meeting from 10/18/21

The commission approved these minutes on a roll call vote with 2 in favor (Allen, Lynch), 0 opposed and 1 abstained (Thomas)

3. Minutes of the Regular Licensing Commission Meeting from 11/15/21

The commission approved these minutes on a roll call vote with 2 in favor (Allen, Lynch), 0 opposed and 1 abstained (Thomas)

4. Communication from Chair Lynch forwarding the draft language from the Somerville Board of Health relative to a proposed order requiring Covid 19 vaccination for indoor entertainment, recreation, dining and fitness settings in the City of Somerville.

The Commission brought up this communication just to be discussed. A vote was not taken in December 2021 on this issue. A BOH meeting will be held on 1/14/22, regarding the requirement for proof of vaccination upon entering some of our licensees establishments, specifically our licensees with an amendment to their license allowing entertainment by performers, with an exemption for entertainers from showing proof of vaccination.

Both items 4 & 5 are for discussion only, no public hearing is being held and this will not be voted on.

The BOH had a meeting prior to Christmas of 2021, where members of the public, BOH members had question, and Chair Lynch raised the question as to what the basis of removing entertainers or performers from entering our licensees and not having to show proof of vaccination. A discussion followed amongst the BOH members and they decided not to vote on this matter.

**The commission discussed both Agenda Items #4 & #5. *see #5 notes for further review.*

5. Somerville Licensing Commission to discuss the impact of the Board of Health proposed order may have on the Commission's Licensees and comment on any of the proposed language which relates to exemptions and the effect that may have on the public health and safety of the Licensees employees, its patrons and the general public.

The Commission brought up this communication for discussion only. A vote was not taken in December 2021 on this issue. A BOH meeting will be held on 1/14/22.

Chair Lynch stated he was concerned that everyone, including employees and patrons would be required to show proof of vaccination, except entertainers and performers. A BOH meeting is scheduled for Friday, January 14th to discuss keeping the exemption in or removing it.

Both items 4 & 5 are for discussion only, no public hearing is being held and this will not be voted on.

A discussion by the commission followed on this matter. Commissioner Allen stated the BOH policy is a minimum and not a maximum of who you can ask for vaccination. Venues could still request proof of vaccination from performers. He also commented on past discussions on the commission's very thoughtful, very risk-aware way this was discussed and the difference in allowing entertainment by violins and woodwinds. Commissioner Thomas expressed concern for the additional expenses this could incur for restaurateurs. A discussion followed. Chair Lynch recommended a Special Meeting be held on Wednesday, January 19, 2022 to determine how to proceed with the rules on this matter. The commissioners agreed with this proposal for a public meeting.

The commission approved a Special Meeting to be held on Wednesday, January 19, 2022 at 5:00pm, a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

6. Continued Communication from August 16, 2021, Licensing Commission Meeting, regarding Request from OSPCD dated July 12, 2021, for the Somerville Licensing Commission to adopt the recommended policy, regarding Group B Recreational Marijuana sequencing of issuing licenses. A discussion was held at this meeting, however, there were concerns about what would happen if multiple Group B applicants were approved in the same meeting. *This item should have been continued to the September 2021 Licensing Commission Meeting, but was not placed on the agenda as an oversight.*

Charlotte Leis spoke on the awarding of Group B Priority Licenses and the order they would be awarded. Ms. Leis discussed the recommendation provided by Economic Development. Ms. Leis discussed a two-pronged test to determine the issuance of these licenses. Step 1 – The date of the Community Host Agreement granted by the Mayor. Step 2 – The MAC score, if multiple CHA's are issued on the same day. Commissioner

Allen stated there is one additional criteria. The 2 step process was agreed on by the commission, for licensee's up until some set date after which it would be exclusively the signing date of the CHA, and moving forward the administration would date the the CHA's with a time and date, if multiple CHA's were signed on a single day, as has happened, this would determine a clear chronological order. MAC ranking would only be applicable for prior applicants who have gone through the process. Ms. Leis agreed with this statement, and also indicated there have been 3 Group B applicants who have CHA's. She also stated moving forward, any CHA's would be time and date stamped. Chairman Lynch asked how this would be communicated to the applicants. Ms. Leis stated when this policy is adopted by the commission, OSPCD would communicate this information to the applicants, prior to the CHA being signed. This information will also be available on the City website. The commissioners discussed incorporating this policy into the Licensing Commission. Ms. Leis recommended adopting the policy first, and then she could work with the city clerk's office to update the new language being adopted, to be voted on at a future meeting. A discussion was held on the process of application approvals and future policy changes. Also discussed was the extension of the priority applicant period through November of 2022, by the City Council. Ms. Leis stated the ordinance was adopted in 2018 and amended in 2020, "at no time shall the licensing commission issue a marijuana retailer license to a non-priority applicant if at the time of issuance there would not be an equal or greater number of licenses that are currently valid and issued to priority applicants". A discussion was held on outreach to base residents and minority applicants for these licenses, and why no licenses have been issued for Group A priority approved licenses yet. Ms. Leis stated this is a 4 step process. 1st is a CHA from the Mayor. 2nd and 3rd, not in any particular order, the applicant must be granted a license by the Somerville Licensing Commission, and they must get a special permit from the planning board to establish the use. 4th, they must get all of the information necessary to get a building permit and then actually build out the site. State approval by the Cannabis Control Commission is also necessary. Ms. Leis stated she believes 8 or 9 special permits have been issued and they are currently in the process of the build out, for example Northeast Select Harvest, was approved by the Licensing Commission in late 2019 or early 2020, they received their special permit from the Planning Board in the summer of 2020, and they have not yet received their license from the CCC and have not built out their premises. This is the case for other applicants as well. Chair Lynch stated our priority applicants have been affected by the Covid pandemic resulting in a financial strain.

The commission moved to adopt the policy as submitted by OSPCD, Charlotte Leis, concerning the Group B recreational marijuana sequencing of issuing licenses.

The commission approved this recommended policy on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

7. Communication from The Attorney General’s Office Municipal Law Unit to inform the city of establishments where defendants convicted of driving under the influence say they were served alcohol before being arrested.

Case ID	Docket	NMESTAB	ST. Address	Date-Time	Offense DT	SEQ	Citation
31239975	2010CR000018	The Independent	75 Union Square	2/12/2021 10:48	43800	1	584128AA
31765620	2014CR001024	Earl's Kitchen	698 Assembly Row Ste 102	2/19/2021 10:48 AM	44067	1	781706AA

The Commission made a note of the Communication provided and placed it on file

8. Communication from the City Engineer pertaining to Outdoor Seating Proposal.

Director of Engineering, Brian Postlewaite and Thomas Galligani, Director of Economic Development appeared on this matter and provided a Power Point Presentation.

Mr. Postlewaite presented and discussed the Power Point Presentation. Mr. Postlewaite commented the temporary outdoor seating during the pandemic was a success but many challenges need to be addressed. Public safety, accessibility and Process Clarity issues were raised. He also indicated this would cover Private Outdoor, Public Street, Sidewalk and Parklet Seating. Areas with alcohol service need to be contiguous with fenced in premises, as required by the ABCC. Accessibility Standards, Parklets & Safety were also discussed. Site plans prepared by certified licensed design professional will be required. General Operational Standards were proposed for Hours of Operation, Restaurant Toilet capacity, Equipment and furniture removal requirements and the renewal process of these licenses, as well as Operational Standards for Dogs, were discussed. Mr. Postlewaite proposed Fee and Insurance requirements. A review of the licensing process was also discussed and the signoff requirements needed from Engineering, ISD, Health, Fire Prevention and Traffic and Parking. Chair Lynch had a question about the expiration dates included and recommended about the public way seating. Commissioner Allen had a question about the recommended minimum clearance of outdoor seating and how this is different from the current rules. A discussion followed. He also had a question on platform compliance and their removability for City utility work. A question was raised about the proposed \$100 per seat fee recommended and how much the city revenue has been lost to parklet seating. A discussion followed on this and also both sidewalk and parklet seating being allowed or not, by an establishment. Commissioner Thomas

asked about standardized barriers for this seating and the safety involved. Director Galligani stated he supports parklet seating. He indicated the Traffic & Parking Director has a total cost of every meter in the city. Commissioner Thomas also brought up cars double parking and causing traffic issues. Further discussion was held on safety barriers and the adherence of building codes for this process. Chair Lynch stated there is a need for this Outdoor Seating process. He also expressed safety issues and 3 instances of motorists that went into the side of a parklet, in 2020 and 2021. Chair Lynch asked about the cost for licensees for the proposals of additional insurance, a professional site plan certified by a survey or landscape architect, a photo rendering of the manufacturers documentation of the proposed furniture, barriers, fencing, tables and chairs, construction plans of the proposed structure for the platforms etc., a plan certified by an architect or plumbing engineer for Toilet capacity, and the recommended fees for seating and fees. He also had a question about the parking department review (and the requirement of attending an additional meeting) prior to Licensing Commission approval and the process of the bagging of Parking Meters. Mr. Postlewaite stated to follow up on the annual renewal, over the years, they have found ADA regulations change, the use of streets change, the design of streets change the condition, and potentially other rules and regulations change as well, and this may require the licensee to receive approval of these changes, at renewal time and may need to reapply for this license. Chair Lynch asked for clarification on walkway accessibility and the suspension of the license. He also stated the ABCC has a requirement that the premises be contiguous for serving alcohol and dogs are not allowed for outdoor seating, unless licensed by the Somerville Licensing Commission.

Chair Lynch requested that the City help with some of these expenses. Director Galligani stated several meetings have been held on these proposals and they have asked for feedback. He stated they are also looking to help alleviate some of these costs especially in the 1st year. Chair Lynch asked Mr. Postlewaite to forward the temporary ADA waiver date from the Architectural Board to the City Clerk. Commissioner Allen recommended having a set schematic, based on a standard, such as size, from Engineering, to access for licensees in order to help alleviate some of the cost. Chair Lynch requested a quote from other municipalities of their fees for Outdoor Seating, such as Boston...

The commission will hold a public hearing on this matter at the next Licensing Commission Meeting in February 2022.

The commission moved to place this item on the February 14, 2022 Agenda for a public hearing on this matter, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

9. Request from Chairman Lynch for a total number of Active Alcohol Licenses, Total number of Active CV licenses and the Total number of provisional licenses for each.

He also requests the Total number of provisional recreational cannabis license (total to date) and Total number of Active Recreational Cannabis Licenses.

Chairman Lynch requested a list of the above Provisional and Active licenses. Commissioner Thomas requested a breakdown of Group A & B applications for Retail Marijuana (Cannabis) approved Licenses. The secretary will provide the commission with this information. An amendment will be made to the original communication submitted by Chair Lynch.

NEW
Common Victualler License

10. Union Square Companies LLC
D/B/A Union Square Donuts
457 Grand Union Boulevard
Joshua Danoff
AL21-000043

Joshua Danoff appeared for this application. Mr. Danoff would like to open a 2nd establishment at Assembly Row. He stated they started in 2013, shared a space across from the post office, then since 2015, they moved in at their current establishment. Commissioner Thomas commented on the foot traffic in the Union Sq. store. Mr. Danoff stated the Union Sq. store has queuing due to not having the doors open and they have not made a decision to open the doors at Assembly yet. He hopes to open in late winter or early spring.

The commission approved this Common Victualler License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

11. Twin City Donuts LLC
D/B/A Dunkin Donuts
14 McGrath Highway
Jigar Patel
Nikul Patel
*New Owners – Old Owner: Dalel Corp (AL17-000195)
AL21-000045

Nicholas Jenkins appeared for this application. Mr. Jenkins is the office manager. Delivery Services from Uber Eats and Door Dash will be employed. No delivery space is currently available. Commissioner Thomas suggested he research a dedicated space for delivery.

The commission approved this Common Victualler License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

12. Guillen's LLC
D/B/A City Slicker Café
588 Somerville Ave.
Hector D. Guillen
Samuel O. Guillen
*New Owners – Old Owner: Makalu, Inc. (AL17-000302)
AL21-000046

Samuel Guillen appeared for this application. Mr. Guillen has been in the restaurant business for 20 years. This will be a pizza, salad and fried food restaurant. Commission Thomas suggested he research a dedicated space for delivery. There will be 18 seats in the establishment.

The commission approved this Common Victualler License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

NEW
Common Victualler License and
Outdoor Seating on Private Property

13. Juicygreens at Assembly Square LLC
D/B/A Juicygreens
495 Foley St.
Ammy Lowney
AL21-000042

Ammy Lowney appeared for this application. Ms. Lowney is the co-owner of this business. Ms. Lowney confirmed this is private property for the outdoor seating. She stated this is her 3rd establishment opening.

The commission approved this Common Victualler and Outdoor Seating on Private Property License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

14. Fr@mg LLC or FR& MG LLC (see lease)
D/B/A Café Rustica
356 Beacon St.
Farouk Ramdani
Mohamed Gendouz
Ahmed Derrouche

*New Owners – Old Owner: U & S LLC - Sunjan KC (AL21-000035 approved 10/18/21)
AL21-000047

Farouk Ramdani appeared for this application. Mr. Ramdani is a co-owner of this establishment. He has been working at this establishment for 20 years. No changes are being made to the menu or establishment. Commissioner Thomas asked Mr. Ramdani to follow up with the secretary with the hours of operation. He stated they will be open 7am-4pm. The secretary stated the application states open 7 days, 10 hours. Chair Lynch asked Mr. Ramdani to confirm the Days and Hours of Operation with the Secretary.

The commission approved this Common Victualler and Outdoor Seating on Private Property License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING ALCOHOL LICENSES

All Forms Package Store License

Pledge of License & Pledge of Inventory

15. Kajal and Kevin II, LLC d/b/a Liquor Junction at 14 McGrath Hwy requesting approval for a Pledge of License and a Pledge of Inventory to Rockland Trust Company for an All Forms Package Store License
ALM21-21-000087

Ketul Patel appeared for this application. Mr. Patel stated he is refinancing this loan.

The commission approved this Pledge of License and Pledge of Inventory on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING ALCOHOL LICENSES

Change of Manager

All Forms 7 Day Alcohol License

Educational Institution

Change of Manager

16. Trustees of Tufts College d/b/a Tufts University at 78 Talbot Ave. requesting approval for a Change of Manager from John P. Beaulac to Patricia L. Klos

ALM21-000088

Patricia Klos appeared for this application. Ms. Klos has managed this alcohol license and is TIPS Certified.

The Commission approved this Change of Manager on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

All Forms 7 Day Alcohol
Private

Change of Manager

17. RF O’Sullivans Saloon LLC d/b/a O’Sullivans Saloon at 282 Beacon St. requesting approval for a Change of Manager from Fred Starikov to Brianna Michelle Classen ALM21-000090

Brianna Classen appeared for this application. Ms. Classen will be taking over the management of this license and is TIPS Certified. She has been with this establishment since October, and has worked in this industry for 12-13 years.

The Commission approved this Change of Manager on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

All Forms 7 Day Alcohol
Inn

Change of Manager

18. DDH Hotel Somerville, LLC d/b/a Holiday Inn at 30 Washington St. requesting approval for a Change of Manager from Jim Harvey to Ryan Burkart ALM21000092

Ryan Burkart appeared for this application. Mr. Burkart held this liquor license for this establishment from 2015 to the end of 2017, he was promoted to Area General Manager. He is TIPS Certified.

The Commission approved this Change of Manager on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

NEW

All Forms 7 Day Alcohol Restaurant -

Enhancement Area License,
Common Victualler, Entertainment by Devices Indoors and Outdoors,
A Sunday Hours and Outdoor Seating on Private Property License

19. HK Food Group 515 d/b/a Josephine's at 515 Somerville Ave. requesting approval for an All Forms 7 Day Alcohol Restaurant License for the Enhancement Area, a Common Victualler, Entertainment by Devices Indoors and Outdoors, a Sunday Hours and an Outdoor Seating on Private Property License
AL21-000044

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

Michael Skelfo and James Rafferty of Adams & Rafferty appeared for this application. This is a new construction on Somerville Ave. in the building for the new Cambria hotel. They will be acting independently from the hotel. They will also be the primary source of food and beverage, however, they will not be offering room service to the hotel. This will be an Italian concept. Mr. Skelfo has 3 other establishments and has been cooking in Boston for 21 or 22 years. Chair Lynch asked if the hotel has put in an application yet, and the secretary stated they have not. Attorney Rafferty stated they will have an indoor capacity of 134 seats and 96 seats on the patio. He also discussed Mr. Skelfo's qualifications. He stated the Sunday hours would be 10:30am to 1am. Mr. Skelfo stated they may wish to put in outdoor heaters. If heaters or a firepit will be installed, Chair Lynch stated an amendment would need to be submitted for this. A discussion followed about the hotel and the restaurant concept and the individual licenses cannot be transferred. A discussion was held about delivery services and the applicant does not have plans to offer this service at this time. Mr. Skelfo and Attorney Rafferty stated there were no violations or ABCC issues with the other establishments. Mr. Rafferty also stated they will not be offering room service for the hotel, but they have discussed a room perhaps having a QR Code, which would be an online ordering system, and they would pick up the food themselves. Chair Lynch asked about the address. He stated cannot have 2 alcohol licenses at the same address. The address may need to be amended if another alcohol license will be issued for the hotel. The secretary stated the food and alcohol menus were not complete. The food menu is a draft, and the alcohol menu does not indicate the prices of the drinks. Chair Lynch stated they can update these items with the commission when complete. Chair Lynch also recommended the applicant contact Councilor Scott. Attorney Rafferty state they did reach out, but hadn't heard from the Councilor yet.

The Commission approved this Common Victualler, Entertainment by Devices, Indoors and Outdoors, a Sunday Hours and Outdoor Seating on Private Property License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

City of Somerville
Licensing Commission

Regular Meeting by Remote Participation

DRAFT OF THE
Minutes of the Regular Meeting
Monday,
February 14, 2022, at 6:00pm
Posted Wednesday, February 23, 2022, at 5:15pm
REVISED POSTED MONDAY, MAY 9, 2022 AT 4:30PM

The meeting was called to order at 6:03pm. Present were Commissioners, Lynch, Allen, and Thomas, Capt. Dennis Sullivan of the Fire Dept., Lt. Timothy Mitsakis of the Police Dept., Secretary to the Commission Lori Batzek, City Clerk, Kim Wells, Assistant City Clerk, Bernabe Rodriguez, Director of Engineering, Brian Postlewaite, Director of Economic Development Thomas Galligani, Planner Charlotte Leis, Members of the City Staff, Applicants and members of the public.
The meeting adjourned at 10:47pm

A recording of this meeting is available online

Monday
REVISED Regular Licensing Commission Meeting
February 14, 2022
6:00pm
Published Wednesday, February 10, 2022 at 10:30am
Published, Monday, February 14, 2022 at 11:00am

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.

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COMMUNICATIONS

1. Minutes of the Regular Licensing Commission Meeting from 1/10/22

The commission approved these minutes on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

CONTINUED FROM 1/10/22 LICENSING COMMISSION MEETING

2. Communication from the City Engineer pertaining to Outdoor Seating Proposal.
Continued from 1/10/22

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

Director Postlewaite and Director Galligani spoke on this communication. Copies of these changes and a red lined version, with the changes made, were discussed. Director Postlewaite discussed the changes recommended and how these were determined. Several City departments and restaurant owners were included in this process. ADA changes and required percentage of accessibility were discussed. Warnings, violations and fines were also discussed Director Postlewaite stated if portable restrooms were provided, at least one had to be accessible. Director Galligani discussed the concerns of the restaurant owners and the Licensing Commission and the costs associated with this process. He also stated the roll out of a couple of different assistance programs. An assistance program of \$10,000 to help restaurants comply with this process will be one of these programs, design professionals will be hired by the City to help restaurants comply as well. A number of webinars have been scheduled over the next couple of months, in several languages, to help with compliance. Director Galligani stated he has had conversations with the Mayor and she is strongly suggesting the commission waive the permanent application fees and costs of these licenses for this year. Chair Lynch asked for the date of the exemption from the architectural review board. The expiration date was 12/31/21. No ADA waivers can now be granted. Chair Lynch asked about the Mass. design professional requirement and other states providing this documentation. Director Postlewaite stated out of state design professionals are not licensed in the state of Mass., and this is a requirement. Chair Lynch asked about an off the shelf seating plan for restaurants to be able to use. Director Postlewaite stated they are exploring these options. A discussion was held about reusing plans already submitted with the required authority stamp and highlighting any changes made. Discussion occurred about a Traffic & Parking meeting requirement for applicants of parklet seating. Director Galligani stated the grant application process should be up on the City's website in the next few days. A list of local professionals will be provided to restaurant applicants by Economic Development for assistance. Further discussion followed. Director Postlewaite explained the MAAB requires 5% accessibility; however the City will

require 10% accessibility. Commissioner Allen questioned enforcement of these rules and stated ISD has lacked manpower for enforcement purposes and 311 procedural concerns. Director Postlewaite stated a new ADA Coordinator has been hired. Chair Lynch stated the Licensing Commission also has some enforcement recourse. Commissioner Allen asked when these documents for the changes of the Rules and Regulations were made available to the public. He stated he received a complaint that they were not made available in a timely manner to provide comments. Director Postlewaite stated this document was provided to the Commission on Friday, but he did not know when it was made public. Chair Lynch stated he has checked with several other cities, Boston, Cambridge, Medford, Waltham, Newburyport and they are not expected to levy fees for outdoor applicants for 2022.

Public Comment followed.

Requesting Flexibility - 1

Somerville Persons with Disabilities not given red lined Document – 1

Redraft of the rules and regulations were not provided - 1

Encourage waiver of fees & ADA Furniture review – 1

Bonnie Denis, Chair of the Persons of Disability Commission, stated all recommendations were not included, and several things were removed.

Small Businesses are struggling & requests ABCC non-contiguous seating be looked into - 1

Chair Lynch stated Beacon Hill may pass a bill that may extend certain temporary powers to the local licensing authorities.

Glad for waivers and grant proposals and asked if this will be enough for new ADA furniture – 1

Encourages working with ADA and compliance – 1

Red line document not provided in timely manner, requests the commission not vote on this matter - 1

SPCD not being represented & non-compliance is an issue – 1

ADA regulations not new and this should be a non-issue of Federal Civil rights law - 1

Supports ADA compliance & requests year-long outdoor seating – 1

Recommends removing professional cert. plans requirement, requests clarifying and amending indoor & outdoor capacity for toilets and clarify process for applicants that have renewed their licenses. - 1

Chair Lynch asked what the toilet requirement is. Director Postlewaite stated this is based on the total seats, indoors and outdoors. Commissioner Allen asked about the ADA furniture compliance. Director Postlewaite stated the 10% minimum ADA seating requirement (by the City of Somerville).

Bonnie Denis stated that as this documents currently sits, it does not comply with MAAB in the terms of the percentage or number of accessible tables, it does not address they are supposed to be dispersed in each different area and by type which includes size. She also stated from a risk perspective handicap individuals dining outdoors and being forced to go indoors to use the restroom would be exclusive to them.

2 additional comments were made by persons who have already spoken.

Restaurant is ADA compliant with pre-covid restrooms and questioning why these changes are being made – 1

Requests flexibility – 1

Chair Lynch stated the commission received several ADA complaints and the ADA waiver is no longer available. He also stated the recommendations were not ignored; only 2 recommendations were not included. A short discussion was held on the ADA requirements and the Licensing Commissions purview on this matter. Director Postlewaite stated a wider accessible route on the sidewalk (expanding MAAB regulations) is required by the city. Commissioner Allen would like further review of violations, complaints and fees and would like periodic reviews of the outdoor seating establishments. He also requested clarification on greenhouses and ADA accessibility. Director Postlewaite stated accessible seating must be distributed throughout the seating that a restaurant provides, including outdoors. He stated it may be appropriate to require at least one greenhouse to be accessible, but may not require all of them to be ADA complaint. Further discussion followed. Temporary ramps and complaint ramps were also discussed. Chair Lynch asked Director Postlewaite about the general public having access to parklet seating after a business has closed and where this came from. He stated no other licensing commission has this condition. The commission has concerns about this.

The commission voted to waive the Application Fees and License Fees for Outdoor Dining for Public & Private Seating for 2022, waiver to end on 12/31/22, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

The commission recommended scheduling a Special Licensing Commission Meeting on 2/23/22 at 5:30pm to further review and let the public review the documents supplied.

The commission approved the continuation on this item for a Special Meeting to be held on 2/23/22, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

3. Forklift Catering, LLC, Needham, MA notifying the Commission of an Event for approximately 150 Guests, to be held at Warehouse XI, 11 Sanborn Court, on Friday, February 18, 2022 from 8:00pm – 11:00pm (Alcoholic Beverages served from Forklift Catering, LLC)

The secretary stated there will be approximately 150 guests. A note will be made by the secretary to correct this typo.

The commission made a note of this communication and placed it on file.

SPECIAL ALCOHOL LICENSES

4. Legoland Discovery Center – Jeff Lawson, 598 Assembly Row requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Adult Night to be held Indoors at 598 Assembly Row on Wednesdays, March 9, 2022, April 13, 2022, May 11, 2022, June 8, 2022, July 13, 2022 & August 10, 2022 from 7:00pm – 9:30pm
(PEL22-000003)

Brendon O’Toole, Manager appeared for this application. Mr. O’Toole stated he has 8 years’ experience with this event.

The commission approved this Special Alcohol License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING

COMMON VICTUALLER LICENSE

Change of Hours

5. Rei Da Picanha & Events Inc. d/b/a Rei Da Picanha at 129 Broadway requesting approval for a Change of Hours
From: Tues-Fri: 11:00am-8:00pm, Sat: 11:00am-10:00pm and Sun: 11:00am-5:00pm
To: Sun-Sat: 5:30pm-12:00am
(ALM22-000007)

*Felipe Nonato, manager appeared for this application. Mr. Nonato stated he has been the manager for 10 years. He also stated the hours on this application are incorrect, and should be **Sun-Sat: 6:00am-12:00am**. The secretary was instructed to correct these hours on the application.*

The commission approved this Common Victualler License, with the noted hours of operation change, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING ALCOHOL LICENSE

All Forms Alcohol 7 Day Restaurant

Alteration of Premises

Change of Ownership Interest (LLC Members/LLP Partners, Trustees) and Change of Officers/Directors/LLC Managers

6. Bow Market Entertainment LLC d/b/a Bow Market at 337 Somerville Ave. requesting approval of an Alteration of Premises, a Change of Ownership Interest a Change of Officers/Directors.
(ALM21-000073)

**This is an Administrative Item only. This amendment was approved by the Licensing Commission on 9/20/21 (The AD was placed on 9/8/21). Applicant submitted requested documentation by the ABCC and requires Licensing Commission Approval.*

Zachary Baum, manager appeared for this application. The secretary confirmed that the requested documents by the ABCC were submitted.

The commission approved this Administrative Item for a Change of Ownership Interest (LLC Members/LLP Partner, Trustees) and a Change of Officers/Directors/LLC Managers, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING ALCOHOL LICENSE

Farmers Pouring License

Entertainment by Devices and Patrons
Outdoors on PRIVATE Property

7. Indignant Brewing Co., LLC d/b/a Winterhill Brewing Company, 328 Broadway requesting an Entertainment by Devices and Performers License Outdoors on PRIVATE Property (ALM21-000093)

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

Breck Bailey appeared for this application. Commissioner Allen asked if they had received any noise complaints. Mr. Bailey stated they had not. Commissioner Allen asked that Mr. Bailey be cognizant of noise for the neighbors. Chair Lynch suggested he apprise himself of the noise ordinance and that he also brush up on the decibel level allowed. Bonnie Denis, Chair of SCPD stated there is a long history of non-compliance in the parking lot. Mr. Bailey stated this entertainment is for the deck only on Private Property, not the parking lot.

The commission approved this Entertainment by Devices and Performers Outdoors on PRIVATE Property, with the noted change to private property, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING ALCOHOL LICENSE

All Forms 7 Day Restaurant

Change of D/B/A

8. New England Neapolitan Assembly Row LLC d/b/a Medici at 463 Assembly Row requesting a Change of d/b/a from Medici to Salt & Stone (ALM22-000002)

Sean Olson, manager & owner, for 3 years, appeared for this application. A statement was made that there were indoor renovations made, to the bar and new equipment was installed. Mr. Olson stated they are reinventing the inside and changing the layout. Some equipment has been added/changed, and a new bar has been installed. He also stated all city approvals were received for the renovations. The secretary stated depending on the renovations made, an amendment may be required. Mr. Olson will contact the secretary to make a determination on whether an amendment is required or not.

The commission approved this Change of D/B/A, and Mr. Olson will contact the secretary to determine if an amendment will need to be filed, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING ALCOHOL LICENSE

All Forms 7 Day Restaurant

Change of Manager

9. Rebel Restaurants Somerville LLC d/b/a Tony C's at 699 Assembly Row requesting a Change of Manager from Richard Irvine to George C. Mugford (ALM22-000003)

Ann Marie Johnnene and George Mugford appeared for this application. Mr. Mugford has been with Tony C's just under 3 years and is TIPS Certified.

The commission approved this Change of Manager, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING ALCOHOL LICENSE

Wine and Malt Package Store License

Change of Officers/Directors/LLC Managers

10. LLH, LLC d/b/a Trader Joe's at 145 Middlesex requesting a Change of LLC Managers from Edward Seeker to Tracy Anderson-Ingram (ALM22-000005)

Attorney Andrew Upton appeared for this application. Attorney Upton stated this is a corporate headquarters change for all Mass. Stores.

The commission approved this Change of Officers/Directors/LLC Managers, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING ALCOHOL LICENSES

All Forms 7 Day Restaurant

Alteration of Premises

11. Vinal General LLC d/b/a Vinal General Store at 220 Somerville Ave. requesting approval for an Alteration of Premises: The applicant submitted a new Floor Plan with 2 additional Partitions and reduced seating from 24 Seats to 12 Seats (ALM22-000006)

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

Sarah Murphy appeared for this application. Bonnie Denis, Chair of SCPD asked if this is in compliance with ADA seating. Chair Lynch stated this was signed off on by the correct departments. Brian Postlewaite, Director of Engineering, spoke on the signoffs for this application and he is not certain Engineering was notified. He also stated ISD would solely sign off on this application with potential signoff by the ADA Coordinator. Public attendee Crystal Huff would like to see the floor plan. Chair Lynch referred Ms. Huff to the secretary to request this information.

The commission approved this Alteration of Premises, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

NEW

**All Forms 7 Day Restaurant, Enhancement Area
Common Victualler, Entertainment by Devices Indoors and Outdoors, Sunday Hours
Licenses and**

***Outdoor Public Parklet Seating – subject to a Change in the Rules and Regulations**

12. EL K Group LLC d/b/a La Bottega at 251 Washington St. requesting approval of an All Forms 7 Day Alcohol, Common Victualler, Entertainment by Devices Indoors and Outdoors, Sunday Hours and an*Outdoor Public Parklet Seating License (subject to a change in the Rules and Regulations)
(AL21-000048)
Hours of Operation: Sun-10:00am-1:00am and Mon-Sat: 8:00am-1:00am
(AL21-000048)

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

Victoria Campbell and Kevin Walsh, owners, appeared for this application. Ms. Campbell discussed their qualifications and Somerville resident status. Bonnie Denis, Chair of SCPD stated the current outdoor furniture is not ADA compliant.

The commission Conditionally Approved the Outdoor Public Parklet seating contingent on the acceptance of New Outdoor Seating rules and regulations to be voted on at a future meeting.

The commission approved this NEW All Forms 7 Day Restaurant, Enhancement Area, Common Victualler, Entertainment by Devices Indoors and Outdoor and Sunday Hours License, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

NEW

All Forms Package Store License

Transfer of License, Pledge of License and Pledge of Inventory

13. SKNM Corporation d/b/a Teele Square Liquors 1119 Broadway requesting a Transfer of an All Forms Package Store License from Everest Mart Inc. d/b/a Teele Square Liquors at 1119 Broadway to SKNM Corporation d/b/a Teele Square Liquors and a Pledge of License and a Pledge of Inventory to Eagle Bank (AL22-000002)

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

Attorney John Mooradian of Demarkis Law Office and Nitash (Nick) Patel appeared for this application. Mr. Patel has 17 years of alcohol sales experience. Mr. Patel stated no violations with local authorities or the ABCC have been reported.

The commission approved this Transfer of an All Forms Package Store License, Pledge of License and Pledge of Inventory, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

MARIJUANA RETAILER LICENSES

New Marijuana Retailer License

14. Holistic Industries, Inc. d/b/a Liberty, at 304 Somerville Ave. requesting approval for a Group B Priority, NEW Marijuana Retailer License
Hours of Operation: Mon. – Sat.: 10:00AM – 8:00PM & Sun: 11:00am-5:00pm
(ME21-000004)

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

John Harrington, lead presenter, David Cohen, Steve Harrell, Vince Canalas, Chief Security Officer, Rabbi James Kahn, Executive Director of Liberty Cannabis Cares and Sharon Ciaramitaro appeared for this application. A presentation was made to the commission by these individuals and is included in the meeting materials on the website.

Charlotte Leis, liaison to the Office of Community Development spoke on this application. Ms. Leis stated the execution date of the HCA was 11/20/20. The neighborhood meeting was held on 9/7/21 or 9/8/21 (no video is provided by the city or the applicant. A Community Meeting is a requirement prior to being eligible for the planning board and the special permit. Chair Lynch stated several comments were received on this application, Councilor JT Scott recused himself from commenting, and Councilor Ben Ewen-Campen is taking the lead on the Council side of this matter. Chair Lynch asked about a Somerville Police Department investigation in the area. One of the speakers stated there have been formal and informal requests received from the police department (due to cameras at this location) and this establishment has cooperated. Commissioner Allen asked about the 50% hiring commitment from Somerville and surrounding communities (in the greater Boston area). A discussion was held on recruitment of employees. Commissioner Allen asked about the parking lot being used for a queuing area, and no public way will be blocked. He also asked about product being provided. All products will derive from Mass. No armed security will be on the premises.

Commissioner Thomas disclosed he is an abutter to this application. After a recess, Attorney David Shapiro, from Somerville's Legal Dept. determined Commissioner Thomas would need to recuse/remove himself from this discussion due to being an abutter.

The applicant stated the license and special permit are required prior to submission of the application to the CCC. Chair Lynch asked if the CCC and the Somerville Licensing Commission applications were in sync. It was stated they were.

Documents were submitted by the applicant for the approved HCA and the Change of Ownership approved by the CCC.

Chair Lynch stated the front door doesn't appear to be ADA compliant. The applicant stated the side door is ADA compliant.

Charlotte Leis discussed how applicants were scored and the order of approval for their license to be issued.

Commissioner Allen asked about a CCC Investigation due to an email received by the commission late this evening.

Who is handling ATM at the establishment. Applicant stated he would get back to the commission with this answer.

Public Comments: Crystal Huff is concerned about racial Justice

*Jessica Eschelmann is in strong support of this application
Rabi James Hahn spoke on behalf of this application*

Please note: A Change in Ownership was submitted and approved by the CCC. The HCA was issued with the original ownership listed.

The commission approved this application for Retail Marijuana with the following condition: 6 months by Appointment only, after the License is issued. The applicant can come back to remove this requirement within this 6 months, on a roll call vote with 2 in favor (Allen, and Lynch), and 1 recused (Thomas)

LATE ITEM

15. Communication from the City Clerk conveying proposed changes to the Rules and Regulations of the Licensing Commission based upon the administration's Outdoor Seating Proposal.

The commission approved the continuation on this item for a Special Meeting to be held on 2/23/22, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

**City of Somerville
Licensing Commission**

SPECIAL Meeting by Remote Participation

Wednesday

SPECIAL Licensing Commission Meeting

February 23, 2022

5:30pm

Published Tuesday, February 15, 2022 at 4:00pm

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/3484726603478536717>

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

CONTINUED FROM 1/10/22 & 2/14/22 LICENSING COMMISSION MEETING

1. Communication from the City Engineer pertaining to Outdoor Seating Proposal.
Continued from 1/10/22 & 2/14/22

CONTINUED FROM 2/14/22 LICENSING COMMISSION MEETING

2. Communication from the City Clerk conveying proposed changes to the Rules and Regulations of the Licensing Commission based upon the administration's Outdoor Seating Proposal.

Continued from 2/14/22

City of Somerville
Licensing Commission

Regular Meeting by Remote Participation

DRAFT OF THE
Minutes of the Regular Meeting
Monday,
March 21, 2022, at 6:00pm
Posted Thursday, May 13, 2022 at 8:30am

The meeting was called to order at 6:02pm. Present were Commissioners, Lynch, Allen, and Thomas, Capt. Dennis Sullivan of the Fire Dept., Lt. Timothy Mitsakis of the Police Dept., Secretary to the Commission Lori Batzek, City Clerk, Kim Wells, Assistant City Clerk, Bernabe Rodriguez, Director of Engineering, Brian Postlewaite, Director of Economic Development Thomas Galligani, Planner Charlotte Leis, Members of the City Staff, Applicants and members of the public.
The meeting adjourned at 8:54pm

A recording of this meeting is available online

Monday
Regular Licensing Commission Meeting
March 21, 2022
6:00pm
Published Wednesday, March 16, 2022 at 4:35pm

REVISED Published Thursday, March 17, 2022 at 9:00am
REVISED Published Friday, March 18, 2022 at 9:10am

Pursuant to Chapter 22 of the Acts of 2022, 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 and local cable access government channels.

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

<https://attendee.gotowebinar.com/register/5666384173043518990>

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 2/14/22

The commission approved these minutes on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

2. Minutes of the SPECIAL Licensing Commission Meeting from 2/23/22

Chair Lynch stated corrections needed to be made to these minutes. Commissioner Thomas spoke in paragraph 3, not Commissioner Allen and Commissioner Thomas not Commissioner Jacques should be referenced throughout the minutes.

The commission approved these minutes, with the above corrections to be made on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

3. Communication from Chairman Lynch Requesting that the City Clerk provide to this Commission a list of all inactive/not in use alcoholic beverages license (private and City issued) and notify each licensee to appear at the April Somerville Licensing Commission to show cause why the Commission should not revoke said licenses

A brief discussion was held on alcohol Licensees not currently using their licenses and Licenses approved but not yet issued. The secretary will be sending notices, on 3/22/22, to these licensees to appear at the next Licensing Commission meeting on 4/11/22.

The commission agreed that these Licensees will need to appear at the 4/11/22 meeting.

4. Communication from Chairman Lynch Requesting to delay the opening date of the 2022 Outdoor Dining Program to April 15, 2022 from April 1, 2022. This request is for the 2022 program start date only.

A brief discussion was held on the Outdoor Seating procedure. Chair Lynch stated he had concerns from several standpoints and that working with internal departments, felt this would not go smoothly. He had a meeting with 2 city departments and a call last week with engineering director Brian Postlewaite. Director Postlewaite has assured the Chair when the Temporary Advisory for Outdoor seating from the ABCC and the governor, which Chair Lynch stated should be signed either today or tomorrow by the governor, is received, engineering will be able to be more flexible, than with the permanent Licensing Commission Rules and Regulation changes. He also stated following the new permanent rules would put our licensees at a disadvantage to other municipalities operating on the Temporary Outdoor Seating Advisory. Chair Lynch also relayed his understanding of the reimbursement process the city is instituting.

The ADA requirements would be strictly enforced. City Clerks, Engineering and ISD is ready to proceed. Economic Development is ready with 2 programs for businesses. Assistant City Clerk Bernabe Rodriguez state a mass email was issued to approx. 300 restauranters apprising them the application is ready. Commissioner Thomas asked about the application. Mr. Rodrigues stated he will forward a copy of this application to the commissioners for review. Commissioner Allen wanted to confirm the lifting of the contiguous requirement for outdoor seating with the Temporary Outdoor Seating, however the ADA requirements are still in effect. Chair Lynch stated relief was granted by the state under the Temporary Outdoor Seating for the contiguous requirement, the additional bathroom requirements, the requirement notices and AD for the expansion of premises and the ABCC amendment notification for an alteration of premises requirement. Commissioner Thomas stated he has not heard about the verbiage on the distribution of funds from the city and making sure this is equitable, and asked for further explanation. Director Galligani stated if you're applying for Outdoor dining, you're eligible for assistance, and the city can provide up to \$10,000 reimbursement towards cost associated with outdoor seating, which might include hiring an engineer, building a platform to accommodate handicap requirements and also may include outdoor furniture, for this year only. Chair Lynch stated these funds are derived from the Federal ARPA money.

No vote was taken. The commission made no change to the Outdoor Seating Start date. It will remain at April 1, 2022.

SPECIAL ALCOHOL LICENSES

5. Warehouse XI, - Samantha Mollo , 34 Sunset Ave., North Providence, RI requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Alicia Durfey's Bridal Shower to be held Indoors at 11 Sanborn Ct. on Sunday, April 3, 2022, from 11:00am –4:00pm (Alcohol Service)
(PEL22-000011)

No one appeared for this application. This Special Alcohol License was not approved.

6. Indignant Brewing Co. LLC d/b/a Winter Hill Brewing, 328 Broadway requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Winter Hill Brewing Taproom Outdoor Seating to be held Outdoors at 328 Broadway in the Private Parking lot on the following Thursdays, Fridays and Saturdays: 3/31/22, 4/1/22, 4/2/22, 4/7/22, 4/8/22, 4/9/22, 4/14/22, 4/15/22, 4/16/22, 4/21/22, 4/22/22, 4/23/22, 4/28/22, 4/29/22, 4/30/22, 5/5/22, 5/6/22, 5/7/22, 5/12/22, 5/13/22, 5/14/22, from 12:00pm –9:45pm (Alcohol Service)
(PEL22-000014)

Breck Bailey appeared for this application. Mr. Bailey expressed confusion on some of the policies and asked if the commission had a sense of the processing time for applications, particularly on private property. He also asked if full site and architectural design plans would be required. Mr. Bailey stated he would be replicating the private patio as has been done for the previous 2 years, and would be contained to 4 of the 6 private parking spaces he leases. Chair Lynch stated if Mr. Bailey is using the same plans submitted for the last 2 years, these will be accepted by the Engineering Dept, which would provide for additional days of using this patio instead of applying for a Special Alcohol License. Mr. Bailey requested to amend the date of this Special Alcohol application for only March 31, 2022. He will apply for the Temporary Outdoor Seating under the amendment process to replicate last years outdoor seating. A brief discussion was held about the application process for public vs. private outdoor seating. Chair Lynch stated Special Meetings may occur to get these applications approved quickly. Commissioner Thomas asked if an amendment of the dates were not requested, what would be the cost for each day on the license. Chair Lynch stated each day's fee would be required.

The commission approved this Special Alcohol License, with the above date amendment to 3/31/22 only, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

7. Warehouse XI, - Margaret Morrissey, 11 Sanborn Ct. requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Berkeley School of Music Concerts to be held Indoors at 11 Sanborn Ct. on the following dates: 3/24/22, 3/25/22, 3/26/22, 3/27/22, 4/1/22, 4/6/22, 4/8/22, 4/14/22, 4/16/22, 4/17/22, 4/21/22, 4/22/22, 4/24/22, 4/27/22, 4/30/22, 5/17/22, 5/18/22, 5/19/22, 5/20/22, 5/28/22 from 7:30pam –10:30pm (Alcohol Service)
(PEL22-000022)

Margaret (Peggy) Morrissey appeared for this application. Ms. Morrissey stated there is a couple of changes in the dates. She stated on 3/25/22, 4/6/22 they need a bartender, 4/14/22, 4/17/22 she stated yes, 4/21/22& 4/27/22 she stated no. The commission instructed Ms. Morrissey to contact to the city clerk/secretary with the date changes by email. Ms. Morrissey stated she had events in May for another event. She was apprised to put in a new application for this.

The commission provisionally approved this Special Alcohol License, with the date amendment changes with the condition that Ms. Morrissey submit the dates to the city clerk/secretary by email, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

8. Warehouse XI, - Second Chances, Inc. – Andrea Shapiro, 11 Sanborn Ct. requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages Spring Gathering to be held Indoors at 11 Sanborn Ct. on Wednesday, May 18, 2022 from 5:30pam –8:30pm (Alcohol Service) (PEL22-000025)

Andrea Shapiro appeared for this application. Ms. Shapiro stated this was supposed to be a 15th anniversary celebration, but postponed due to covid, it is now the 17th year anniversary. This will be a ticketed event with primarily donors and colleagues. This organization provided clothing for the homeless and with the pandemic there is an even greater need for their services. A TIP's Certified Bartender will be used and they will purchase the alcohol from an approved distributor. The commission approved this Special Alcohol License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING ALCOHOL LICENSE

All Forms Alcohol 7 Day Restaurant

Change of Stock Interest, Change of Officer/Directors & Change of Manager

9. Papagayo Somerville, Inc. d/b/a Papagayo requesting approval for a Change Transfer of Stock from: Bradford Dalbeck to Christopher Damian, a Change of Officers from Bradford Dalbeck, President to: Christopher Damian, President and a Change of Manager from: Bradford Dalbeck, Manager to: Christopher Damian, Manager (ALM22-000009)

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

Bradford Dalbeck appeared for this application. Mr. Dalbeck stated he has been an equal partner with Christopher Damian since 2002 for all their restaurants. Mr. Dalbeck is stepping down and has turned all the financial end of this business to Mr. Damian. Mr. Damian will be taking over 100% ownership and will also be the manager. No violations with the Licensing Commission or the ABCC have been issued. Mr. Dalbeck stated he will still be helping. No members of the public spoke.

The commission approved this Transfer of Stock Interest, Change of Officer and Change of Manager on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING ALCOHOL LICENSE

Wine & Malt Alcohol 7 Day Restaurant

Change of Manager

10. Center for Arts at the Armory, 191 Highland Ave. requesting approval for a Change of Manager from: Joe Botsch, Manager to: Jess White, Manager (ALM22-000010)

Jess White appeared for this application. Ms. White has been with the Armory since August of 2021 and is not TIP's Certified. She stated the entire bar and staff are TIP and SERV Safe Certified. Chair Lynch recommended Ms. White become TIP Certified, and stated it is not strenuous or expensive.

The commission approved this Change of Manager on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING ALCOHOL LICENSE

Farmers Pouring License

Alteration of Premises – Indoors and Permanent Outdoor Seating on a Private Patio And Entertainment by Devices and Patrons Outdoors

11. TBD Brewing LLC d/b/a Aeronaut Brewing Co, 14 Tyler St. requesting approval of an Alteration of Premises for Outdoor Seating on a Private Patio (ALM22-000011)

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

Ronn Friedlander appeared for this application. Mr. Friedlander stated they have increased the indoor seating and would like the Outdoor Seating permanently, as this was very useful during the pandemic. Mr. Friedlander would also like outdoor entertainment with recorded and occasionally live, smaller quieter bands and acoustic music. He also stated while doing this application, he wanted to make sure the indoor seating matches what the state (ABCC) has on file, and he believed there was a discrepancy on total indoor seats. Mr. Friedlander stated they had between 70 and 90 outdoor seats during the pandemic, and that these numbers were changed a couple of times. Chair Lynch asked if these additional outdoor seats would trigger additional bathroom requirements. Mr. Friedlander stated he had an architect review the indoor seating, and based on the number of fixtures indoors, they felt they could accommodate the added number without changing the bathrooms. Commissioner Thomas is concerned about the acoustics due to residences within 300 feet of this area. He stated

they should take the noise ordinances into account. Mr. Friedlander stated he wanted to be a good neighbor and received no complaints about noise last season, and will continue to be mindful. Commissioner Allen asked about Carolicious and Tasting Counter appearing on the floor plans submitted and did not understand the relationship between Aeronaut and Tasting Counter. Mr. Friedlander stated he believed the commissioner was looking at an old floor plan submitted during Covid, but stated this is not the floor plan they are currently going with. He stated they wanted to make sure Tasting Counter had some seating outside (during Covid), but they would be control the patio entirely, and they would have no designated seats. Commissioner Allen stated there would be liability questions if Tasting Counter was under this expansion, but was happy that this would not be implemented. Chair Lynch also stated the commission has brought up, to other licensees, the outdoor entertainment by performers, especially if amplified, and requests they be mindful of the noise ordinances in the city. He also requested Mr. Friedlander contact Ward 2 Counselor JT Scott to see if he has anything to add by way of notifying neighbors. No members of the public spoke.

The secretary memorialized, that the application states the indoor seats will be increased to 218 and the outdoor seats will be increased to 138 seats. She also stated an AD was placed in the newspaper for an Alteration of Premises (which she believed would cover both the indoor and outdoor alteration), but left this up to the commission to approve this, the AD also stated an Entertainment by Devises and Performers Outdoors.

Mr. Friedlander was asked by Chair Lynch the hours of operation for the Patio. Mr. Frielander stated he would like the hours changed on the application to Mon-Thu: 5:00pm-11:00pm, Fri: 5:00pm- 11:30pm, Sat: 12:00pm-11:30pm and Sun 12:00pm-8:00pm

The secretary confirmed receipt of the abutters list and post office receipts.

*The commission approved this Alteration of Premises **Indoors** and Outdoor Private Patio and **Entertainment by Devices and Performers Outdoors**, with the change of hours stated above, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed*

MARIJUANA RETAILER LICENSES New Marijuana Retailer License

12. Botanica, LLC , Inc. 620 Broadway requesting approval for a Group A Priority, NEW Marijuana Retailer License
Hours of Operation: Sun. – Sat.: 10:00AM – 8:00PM
(ME22-000001)

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

Denise O'Donovan, Attorney Sean O'Donovan and Matt Rodebach appeared for this application. Attorney O'Donovan stated this application was filed in May of 2019, 2 years after Attorney O'Donovan's family purchased the gas station at 620 Broadway and run by his brother Michael. Attorney O'Donovan stated the Ball Sq. Bridge closed. At the time of the purchase, he stated they were of the opinion and understanding that the Green Line extension was going to be in one direction and the bridge would not be closed in totality. The bridge would be closed in one direction for 6 months, then the other direction would be closed for 6 months. The total bridge closure resulted in a new plan, and the gas station had to be closed and the tanks removed due to a 120 day rule for gasoline storage. This resulted in Michael O'Donovan being approached by Brenda DeAngelis and Denise O'Donovan about this new idea. An interview was granted to the applicant that summer, and they received a score of 9.5 out of 15. The MAC wanted the site built out, and they have gone through the ZBA. There was concern expressed about industry experience. Matt Radabach, with over 10 years' experience in the industry, came on board after the MAC interview. In the fall, on October 4th, the application was refiled and they received another interview approximately 18 months later, which resulted in a MAC score of 13 out of 15 and were recommended for an HCA which was signed by the city. A neighborhood meeting was held last fall simply because they desired to. A DRA application was filed and they appeared before the ZBA in December for a 1 story building. A neighborhood meeting was required and held for this process and Botanica wanted to join in to meet the neighborhood. A presentation was given for the Building only and Botanica gave a separate presentation. A change in City Councilors resulted in another neighborhood meeting last month by Botanica. Owners Michael O'Donovan, Denise O'Donovan and Brenda DeAngelis live locally in Somerville and Medford. CEO Denise O'Donovan stated she is a lifelong resident, mother, registered nurse and CEO of Botanica, a female majority owned Adult Marijuana Dispensary. Ms. O'Donovan explained this location is a former gas station and discussed the individual owners and their experience for this company. Ms. O'Donovan also stated they intend to hire a diverse team from the community. She also discussed the various neighborhood meetings that were held. Matt Rodebach made a presentation of the Operation of this business. Mr. Rodebach stated there is a change to the Hours of Operation, Mon-Sat – 10am-8pm and Sun 11am-6pm. He also stated there will be an Advanced Odor Mitigation system, No ready to use Vape products, Firearms will not be carried by anyone registered with Botanic, on Cash pick-up service will have firearms. Staff will be stationed outside to ensure no lines and general order. Mr. Rodebach discussed the layout of the premises, the systems in place and customer flow. He also discussed Botanica philosophy on security and the cameras that will be used. Mr. Rodebach spoke about the steps Botanica will take to prevent diversion. He also stated the neighbors had traffic concerns and stated they will be encouraging alternate means of transportation, such as biking, walking, ride share, glx and the mbta. The website will connect to apps for Blue Bikes, Uber Lift and local cab companies and public transit schedules. They will be subsidizing employee transit passes. Chairman Lynch asked Charlotte Leis about

this application. He asked the date of the CHA and who executed it. Ms. Leis stated it was dated 5/10/21, signed by Denise O'Donovan. Chair Lynch stated a letter of no opposition from Counselor Beatrice Gomez Morkad was received and additional comments were also received by the public. Ms. Leis clarified that this applicant has a slightly different process on the zoning side than other applicants. They have been to the zoning board of appeals to deal with a hardship variance related to the number of stories of the building, but they have not been to the Planning Board yet and have not been received or been heard for a special permit for the use. Ms. Leis has been working with the applicant on the various procedural steps that they need to take prior to being able to go to the planning board, because they are building a new building. She stated they need a neighborhood meeting for the Use Special Permit and an additional neighborhood meeting and a meeting with the Urban Design Commission regarding the design of the building in particular. They are scheduled to go before the Urban Design Commission tomorrow night. Ms. Leis stated for the record, that the floor plan they have presented tonight is not compliant with Zoning and will be changing or will need to change before approval from the Planning Board. Commissioner Thomas asked Mr. Rodebach to talk about data security. Mr. Rodebach stated they would be working with their IT company and will set up the firewalls and safety through their internal network. It will have hospital level security that will meet all HIPA requirements. He stated that the actual license information is not retained as part of the CCC, they're verifying and deleting license numbers and they do not hold personal information longer than 24 hours to ensure they do not exceed the 24 hour purchase allotment and will then be wiped. The only information retained will be permission-based marketing of Name, Email Address, or Phone Number for opt-in for texting. All this information will be encrypted and have HIPAA level cyber security.

Commissioner Thomas stated he believed there is a 6 month date retention requirement for data. Mr. Rodebach stated they have camera storage requirements that are different from license storage, the most recent guidance is for the 24 hour purchase period, but for video cameras, it will be through a cloud service, on-site for 30 days as well as off-site and they will use a service such as AWS or other cloud based service.

Commissioner Thomas asked about parking and how many spaces will be for customers, deliveries or employees. Mr. Rodebach stated they will not have any parking spaces available on site, parking will be available on the street. Attorney O'Donovan stated he believed approximately 5-6 street parking spots will be available. He also stated they will be requesting a loading zone for one of the parking spots, for daytime use. Commissioner Thomas asked if they would be open to exploring express parking spots for express pickup and delivery. Attorney O'Donovan stated they would, the traffic engineer and architect are working on this. He also stated they were looking into bike parking on site. Commissioner Allen had some questions about security that was satisfactorily answered by Mr. Rodebach. He also had a question about the subsidizing employee transit. Mr. Rodebach stated internal discussion is still being held on this matter with at least 50%. Commissioner Allen also asked how many attendees appeared at the main meetings. Mr. Rodebach stated at least 30 people

attended both meetings. Attorney O'Donovan stated approximately 30-50 attendees appear and asked if he could get back to the commission with an exact count. Commission Allen was satisfied with a follow up with exact numbers to the commission. Chairman Lynch stated it would be advantageous to post any recorded meetings. Mr. Rodebach stated one of the meetings is posted on YouTube and will post the other meetings as well. Chair Lynch asked about the back of the building being so close to an open piece of land which is owned by the state, and had some question about security cameras in this area. Mr. Rodebach stated there will be at least 3-4 cameras on each wall. Chair Lynch asked about the wall in the back and was satisfied with Attorney O'Donovan's description. He also asked about the T and the building site, and was apprised that this process is currently under way, as the T is an abutter to this property. A discussion was held on the building and the plans for the premises. Chair Lynch stated the Traffic plan needs to be submitted.

Public Comment

9 Residents spoke in Support of this application

2 Residents did not Support this application and expressed concerns

The members of this commission held a discussion of this application.

Conditions: Operation by appointment only for the first Six (6) months, after issuance of the license by the Somerville Licensing Commission

Applicant may come back to the commission after commencement for reconsideration of these conditions

Hours of Operation: Changed to Mon.-Sat.: 10am-8pm & Sun.: 11am-6pm

The Commission Provisionally approved this Retail Marijuana License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

**City of Somerville
Licensing Commission**

Regular Meeting by Remote Participation

**DRAFT OF THE
Minutes of the Regular Meeting
Monday,
April 11, 2022, at 6:00pm
Posted Monday, May 16, 2022 at pm**

The meeting was called to order at 6:04pm. Present were Commissioners, Lynch, Allen, and Thomas, Lt. Timothy Mitsakis of the Police Dept., Secretary to the Commission Lori Batzek, Assistant City Clerk, Bernabe Rodriguez, OSPCD Director, George Proakis, Director of Engineering, Brian Postlewaite, Members of the City Staff, Applicants and members of the public.

The meeting adjourned at 9:15pm

A recording of this meeting is available online

**Monday
April 11, 2022
6:00pm**

Published Thursday, April 7, 2022 at 4:00pm

Revised Published Monday, April 11, 2022 at 12pm

Final Revised Published Monday, April 11, 2022 at 3 pm

NOTICE: Pursuant to Chapter 22 of the Acts of 2022, 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/3839911741337011725.](https://attendee.gotowebinar.com/register/3839911741337011725)

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 licensing@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 Licensing Commission Regular Meeting, March 21, 2022.

2. Licensing Commission requesting that the following licensees report on the use of their All-Forms License.

License #	Business Name/DBA	Address	Type	Category
AL18-000019	Eat at Jumbo's/ Sassafras	688 Broadway	All Forms	City Held - Citywide
AL21-000008	Parla Mystic Corp./ Parla XXI	631 Assembly Row	All Forms	Assembly Row
AL19-000044	Kathmandu Kitchen/ Himalayan Kitchen	40 Bow St	All Forms	Enhancement Area
AL17-000321	Broadway BBQ LLC/ East End Grill	118 Broadway	All Forms	Private
AL17-000069	Bergamot LLC/ Bergamot Restaurant and/or FAB	118 Beacon St	All Forms	Private
WITHDRAWN				
AL17-000047	Bull McCabe Corp./ Bull McCabe's	366A Somerville Ave	All Forms	Private
AL17-000035	Callen Hospitality, Inc./ The Dark Horse Public House	499 Broadway	All Forms	Private
WITHDRAWN				
AL17-000027	Nucleo Sportinguista, Inc.	282 McGrath Hwy	All Forms	Private - Club
WITHDRAWN				
WITHDRAWN				

Eat at Jumbo's/Sassafras – Grover Taylor appeared on this item. Mr. Taylor stated he reopened in December of 2020 and has been using his All Forms alcohol license since then. The Hours of Operation are currently in flux. Staffing is an issue. Commissioner Thomas asked when the last fees for the license were paid. Mr. Grover stated in November 2021 - \$3900. The secretary stated the last payment was received in 2019. Mr. Taylor stated he submitted payment to Andrea Torres and he was instructed to backdate the check to November 30th. The secretary will investigate this. Mr. Taylor stated he would be in City Hall tomorrow.

The commission made a Motion for no Action to be taken for Sassafras on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Parla Mystic Corp/Parla XXI - Councilor Vigorito appeared for this item. A letter was submitted to the commission on March 23rd about unforeseen delays. Their goal is to be open by May 1st and May 15th.

The commission made a Motion for no Action to be taken for Parla XXI on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Kathmandu Kitchen/Himalayan Kitchen – Jeremy Lockett appeared for this item. They are working with Main Streets to help fund raise for the renovation, and inflation has affected the total cost. They continue to fund raise to help with the additional costs. They are also in the process for permits for the construction. This license was approved by the Licensing Commission on 4/21/20 and by the ABCC on 8/9/21.

The commission made a Motion for no Action today for Himalayan Kitchen. A Status Report on this license will be required in 6 months, at the October 2022 Licensing Commission Meeting for Himalayan Kitchen on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Broadway BBQ LLC/East End Grill – Stephen Bandar appeared for this item. They are in the process of developing the property, but the project stopped due to Covid. Mr. Bandar stated he will be selling this license. Mr. Bandar estimates it will be 1 ½ to 2 years for the activation of this license.

The commission made a Motion for no Action today for East End Grill. A Status Report on this license will be required in 6 months, at the October 2022 Licensing Commission Meeting for East End Grill on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Bergamot LLC/Bergamot Restaurant and/or FAB - No one appeared for this item.

The Commission Continued this item until the next Licensing Commission Meeting. The Commission states the licensee must appear at the next meeting, May 2022, to show cause why this license should not be revoked on July 1, 2022 on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

The secretary stated Keith Pooler sent an email stating he could not seem to get through on the phone call.

Bull McCabe Corp/Bull McCabe's - Brian Manning appeared for this item. Mr. Manning is a co-owner. Mr. Manning states a letter of intent was submitted today and he is currently working on a purchase and sales agreement. Dan Haggerty is seeking to purchase this liquor

license and is currently looking for a location as well. A discussion was held on how to proceed with this license transfer.

The commission made a Motion for no Action today for Bull McCabe's. A Status Report on this license will be required in 6 months, at the October 2022 Licensing Commission Meeting for Bull McCabe's on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Callen Hospitality, Inc./The Dark Horse Public House – Patrick Grace appeared for this item. Mr. Grace states they closed due to Covid. This caused them to be in arrears on the rent and he couldn't reach an agreement with the landlord and closed due to financial difficulties. He is currently look for another location.

The commission made a Motion for no Action today for Dark Horse Public House. A Status Report on this license will be required in 6 months, at the October 2022 Licensing Commission Meeting for Dark Horse Public House on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Nucleo Sportinguista Inc. – Paulo Bizarria appeared for this item. Mr. Bizarria stated they closed at the beginning of Covid. The lease for the premises has ended and they are looking for a new location.

The commission made a Motion for no Action today for Nucleo Sportinguista. A Status Report on this license will be required in 6 months, at the October 2022 Licensing Commission Meeting for Nucleo Sportinguista on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

3. Notice from the ABCC regarding the approval of guidelines for outdoor alcoholic beverage service areas.

Chair Lynch stated there is a link included on the ABCC notification. He also asked how the commission would like to handle this matter in the future. Commissioner Thomas stated the process is taking away the responsibility of the commission that was given from the mayor's office and the onus is being placed on Engineering ISD on conditional approvals. He has

concerns about not seeing the floor plans. Chair Lynch stated the commission needs to have trust in the departments or persons who's signatures are required and expressed confidence in the existing procedure.

The commission made a note of this communication.

NEW

Common Victualler Entertainment by Devices – Indoors *Public Hearing*

4. Briannas Café Corp., DBA Briannas Café, 393 Medford Street, requesting approval of a Common Victualler and an Entertainment by Devices – Indoors license. (AL22-000006)

Alfredis Cartagena appeared for this application. This establishment is in Winter Hill located at the old Thurston Spa, and will be serving American breakfast and lunch. The Hours of operation will be 6am-3pm Mon – Sun. There will be 15 seats. Commissioner Thomas asked if this is ADA compliant. Mr. Cartagena didn't understand. Grubhub and Doordash will be used.

The commission approved this Common Victualler and Entertainment by Devices Indoors License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Common Victualler

5. MJA Corporation, DBA Los Paisanos Restaurant, 62 Broadway, requesting approval of a Common Victualler license. (AL22-000004)

No one appeared for this application. This item was continued until the next Licensing Commission Meeting.

These are new owners.

EXISTING

Change of DBA Name Change of Manager Change of Officers, Stock or Ownership Interest

Change of Hours

6. Bow Street Charm Corp., DBA Yoki Sushi & Chinese Restaurant, 16 Bow Street, requesting approval of a change of DBA Name to Fuki Japanese Cuisine; change of manager from Nicole Xu to Qina Chen; change of officers, stock or ownership interest from LianPei Li, President 75%, Nicole Xu, Director 25% to Chunlong Zhanh, President, 69%, Lixiang Huang, Treasurer, 15%, Lifei Huang, Secretary, 15%, Qina Chen, Director, 1%. (ALM21-000081)

Councilor Lu, Nicole Xu and Qina Chen appeared for this application. This corporation has merged. Councilor Lu stated the new manager has many years of experience in liquor license alcohol management. Ms. Chen is the manager and is TIPS Certified. The Change of Hours will be as follows: Mon – Closed, Tue-Sat: 11:30am-9:30pm & Sun: 12:30pm-9:00pm.

The Commission approved this Change of DBA Name, Change of Manager, Change of Officers, Stock or Ownership Interest and the Change of Hours on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Kindly Note: The Change in Stock requires a Newspaper AD and will be placed on the next Licensing Commission Meeting as an Administrative Item

Alteration of Premises
Temporary Outdoor Seating

7.

License #	Business Name	Address	Parklet	Private	Sidewalk	Heating Element	Dog Area
ALM22-000041	Pizzeria Posto	187 Elm St	X				
ALM22-000040	Redbones	55 Chester St	X				
ALM22-000038	Machu Picchu	311 Somerville Ave	X		X		
ALM22-000037	Painted Burro	219 Elm St	X				
ALM22-000036	Celeste	21 Bow St	X	X			
ALM22-000034	Crispy Crêpe	51 Davis Sq	X		X		X
ALM22-000033	Bronwyn	255 Washington St	X				
ALM22-000027	Winter Hill Brewing	328 Broadway		X			X
ALM22-000025	El Potro	61 Union Sq			X		
ALM22-000021	Anna's Taqueria	236 Elm St	X				

ALM22-000018	PJ Ryan's	239 Holland St	X		X		
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Director of Engineering, Brian Postlewaite spoke on these Temporary Outdoor Seating applications:

Pizzeria Posto - Brian Postlewaite approves this application with the conditions stated. The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Redbones – Reduced from 8 tables to 7 tables. Brian Postlewaite approves this application with the conditions stated. The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Machu Picchu - Brian Postlewaite approves this application with the conditions stated. The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Painted Burro - Brian Postlewaite approves this application with the conditions stated. The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Celeste - Brian Postlewaite approves this application with the conditions stated. The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Crispy Crepe – No Dog Area. Brian Postlewaite approves this application with the conditions stated. The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Bronwyn – Structure removed. Brian Postlewaite approves this application with the conditions stated. The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Winter Hill brewing - Post conspicuous signs for Dog Area. Brian Postlewaite approves this application with the conditions stated. The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

ElPotro - Brian Postlewaite approves this application with the conditions stated. The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Anna's Taqueria - Letter required from abutting business. Brian Postlewaite approves this application with the conditions stated. The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

PJ Ryan's - Brian Postlewaite approves this application with the conditions stated. The commission conditionally approved this temporary outdoor seating, pending all department signatures, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Director Postlewaite states both concrete and water fill barriers are acceptable. Chair Lynch states he wants Fire to inspect Heaters and requests Fire Prevention to be included in the Routing Process. Chair Lynch will discuss with the Law Department whether the property owner or the abutting business should be submitting a letter of approval.

LATE ITEMS

Innholders without alcohol

8. SHG Somerville Hotel LLC., DBA Cambria Boston Somerville, 515 Somerville Avenue, requesting approval of an Inn without alcohol license. (AL22-000009)

Meredith White and Jordan Warshaw appeared for this application. Ms. White states they have an opening scheduled for this Thursday. Because of a hectic construction schedule, they had an administrative oversight on applying for this license. Guests are booked for Thursday. Ownership and management of the Hotel was discussed and clarified. A grand opening will occur after about a month after the soft opening. They have a Temporary C of O. Guest will be allowed as of Wednesday. If the permanent C of O is not issued by Thursday, they will put their guests up at another hotel. 163 rooms are in the hotel. A restaurant on the 1st floor of the premises was approved for an Alcohol License in February. This applicant may go for an alcohol license in the future. OSPCD Director, George Proakis spoke on this application. Mr. Proakis states bringing a hotel to Somerville Ave. has been worked on for the late couple of years. He discussed the businesses in the area. He stated his support of this license. Chair Lynch suggested if they are applying for further licenses, to apply early. The secretary stated there is Entertainment by Devices listed on the application, which requires an AD in the newspaper. Mr. Warshaw stated the rooms will have TV's (163). Throughout the public area of the building, will be piped music. Mr. Proakis stated he believed from the conversation that there is a difference between the common area entertainment and the TV's in the rooms, and asked if that is correct. Chair Lynch stated that this is correct. Mr. Proakis stated that devices in the open area would need a license with an AD. Chair Lynch stated the TV's in the rooms can be operated, but not devices in the common area's. the secretary stated she was not sure on the procedure for the TV's in the rooms, and she would be happy to investigate this matter. Chair Lynch stated he would make the ruling to approved the TV's in the rooms and made a comparison to private offices in restaurant and stated hotel rooms are not in the common

area. The secretary stated no further application is needed for the Entertainment by Devices License, as it is on the application, and an AD will be placed in the newspaper to be heard at the next Licensing Commission Meeting, whether a regular or special meeting. The AD can be placed on Wednesday, for a meeting no earlier than an April 27, 2022.

The commission approved this Innholders License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Special Alcohol License

9. Cuisine en Locale DBA Once, 67 Pleasant St., Apt 1, Cambridge, MA St. requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for ONCE at Boynton Yards Summer Series to be held Outdoors in the parking lot at Boynton Yards, 0 Windsor St., on the following dates: 6/11/22, 6/25/22, 7/9/22, 7/30/22, 8/13/22, 8/27/22, 9/10/22, 9/17/22, 9/24/22 from 10:00am –12:00am (Alcohol Service) with Rain dates of 6/12/22, 6/26/22, 7/10/22, 7/31/22, 8/14/22, 8/28/22, 9/11/22, 9/18/22, 9/25/22.
(PEL22-000038)

JJ Gonson appeared for this application. Ms. Gonson stated there were no problems last year with this event and they abided by all the rules. Chair Lynch asked Ms. Gonson to speak with the Police Department to see if the number of attendee's is a concern or requires a Detail.

The commission approved this Special Alcohol License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

All Forms 7 Day Alcohol License Privately Owned Change of Manager

10. Thirsty Scholar Barroom, LLC DBA The Thirsty Scholar, 70 Beacon St. requesting approval for a Change of Manager from Stephen Whalen to William Harrington.
(ALM22-000022)

At the request of Brian O'Donnell, kindly continue this item as Liam Harrington will not be able to attend this meeting.

The commission continued this application to the May, 2022 Licensing Commission Meeting

Special Farmer Winery License

11. House Bear Brewing LLC DBA House Bear Brewing, 25 Story Ave., Newburyport, MA requesting approval for a Special Farmer Winery License to sell Mead & Cider produced by the

licensee for off-premises consumption for The East Somerville Farmers' Market to be held at 115 Broadway., on Sundays', May 15, 2022 through November 20, 2022, from 9:00am-1:00pm. (SFW22-000001)

Elizabeth (Beth) Borges appeared for this application.

The commission conditionally approved this Special Farmers Winery License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Communication from Chair Lynch

A gentle reminder to our licensees, The ABCC, Enforcement division, will be conducting minimum purchase age compliance checks in Somerville from March through September 30, 2022.

City of Somerville
Licensing Commission

SPECIAL Meeting by Remote Participation

**DRAFT OF THE
Minutes of the SPECIAL Meeting
Monday,**

April 27, 2022, at 6:00pm

Posted Thursday, May 19, 2022 at 12:45pm

The meeting was called to order at 6:01pm. Present were Commissioners, Lynch, Allen, and Thomas, Lt. Timothy Mitsakis of the Police Dept., Denise Sullivan, Fire Department, Secretary to the Commission Lori Batzek, Assistant City Clerk, Bernabe Rodriguez, Director of Engineering, Brian Postlewaite, Members of the City Staff, Applicants and members of the public.

The meeting adjourned at 7:30pm

A recording of this meeting is available online

Wednesday

SPECIAL Licensing Commission Meeting

April 27, 2022

6:00pm

Published Friday, April 22, 2022 at 11:45am

REVISED Published Wednesday, April 27, 2022 at 1:30pm

Pursuant to Chapter 22 of the Acts of 2022, 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.

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<https://attendee.gotowebinar.com/register/1979212611849485327>

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TEMPORARY OUTDOOR SEATING

1.

Alteration of Premises

License #	Business Name	Address	Parklet	Private	Sidewalk	Heating Element
ALM22-000030	Premier on Broadway	519 Broadway	X			X
ALM22-000031	Trina's Starlite Lounge	3 Beacon St		X		X
ALM22-000045	Elm Street Taproom	256 Elm St	X			
ALM22-000046	Five Horses Tavern	400 Highland Ave	X			
ALM22-000056	Taqueria Montecristo	146 Broadway	X	X	X	
ALM22-000060	La Brasa	124 Broadway			X	

Director of Engineering, Brian Postlewaite spoke on these Temporary Outdoor Seating applications:

Premier on Broadway – 44 Seats and Heating Elements and 2 accessible tables for ADA compliance. Barriers will surround the entire parklet. Brian Postlewaite approves this application. Chair Lynch issued a reminder about that no lights are allowed to be strung across the public way onto the parklet. Commissioner Thomas expressed concern that responsibility of these applications have been passed onto the engineering department and he is uncomfortable with this process. Chair Lynch indicated all the departments reviewing these applications are necessary. This parklet will be located directly in front of the establishment and does not interfere with any other establishments parking.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Trina's Starlite Lounge – Private patio with a heating element. Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Elm Street Taproom – 44 Seats. This parklet is utilizing the full 14 ft. extra wide parking lane. There continues to be a single lane of traffic and a permanent ramp with handrails is being installed. The installation has already been set up, and this allowed Mr. Postlewaite to

inspect this parklet for compliance. Commissioner Thomas asked about signs for restrooms and exits. Mr. Postlewaite stated this is handled by ISD in the field. A discussion was held on whether a requirement for signs be placed on the floor plans in the future. Mr. Postlewaite estimated 10-11 seats per parking space. A discussion was held on street widths and bike lanes and how this affects the seating. Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Five Horses Tavern - This is a parklet and a small amount of sidewalk seating, this is due to installing a compliant ramp. The applicant was struggling to get a compliant ramp installed on the right of way and Engineering worked on this with them and put seats on the sidewalk. Accessible seating is immediately adjacent to the entrance. The applicant prosed using an existing aluminum bifold ramp from their previous seating. Mr. Postlewaite stated they have asked them not to use this, but if they find it helpful, of course they can use it, but not in the accessible area. A discussion was held on the ADA accessibility seating, and is reserved for accessibility patrons, but can be used by abled patrons if all seating is full. Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Taqueria Montecristo - Mr. Postlewaite stated the key to this seating is making sure that the seating remained outside the accessible route along the sidewalk and out of the accessible curb ramp on the corner, crossing the side street. He also stated, the set of steps that go up to the front entrance, which takes up room on the sidewalk, limits their ability to put seating in the larger area than they initially planned. Chair Lynch asked if he was awaiting any sign offs, Mr. Postlewaite replied the new regular process requires all signatures before placing an item on the agenda. This could be waived if an item needs to be expedited. Total 26 private property seats & 22 sidewalk and parklet seats. Commissioner Thomas asked about the fire hydrant and considerations for the distance requirement between the table and the hydrant. Mr. Postlewaite stated these features are movable enough, and patrons would immediately vacate the area if a fire officer asks them to move. Semi-permanent structures adjacent to the fire hydrant are a concern, because a parklet structure doesn't have the agency to move itself. Commissioner Thomas will research the distance requirement for outdoor seating. Mr. Postlewaite stated the Fire Dept. was not on the review process because it was not a parklet in front of a hydrant and did not have heating elements. Captain Sullivan stated he typically puts in as a condition, no structure or obstruction within 10 ft. of a hydrant, however, lightweight and movable items have been permitted, on a case-by-case basis, and this is addressed upon inspection. No barriers are being used. Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

La Brasa - Sidewalk only seating. Brian Postlewaite stated the commission does not have the most recent floorplan. The approved version, is a 10 ft. sidewalk from the face of the building to the furniture zone, however, the furniture zone is not included in the calculations, they split the difference and have 5 ft. against the building within their barrier fence and a 5 ft sidewalk. The previous plan has a 6 ft and 4 ft area, and engineering requested the tables just a little bit closer together and set back their barrier, for the hostess stand, due to the existing bench and tree, to maintain a 5 ft. clearance, all around in front of this business. Pedestrian minimum is 5 ft. Total of 28 seats. Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

EXISTING LICENSE
Inn Holder's License without alcohol

ENTERTAINMENT BY DEVICES INDOORS

2. SHG Somerville Hotel LLC., DBA Cambria Boston Somerville, 515 Somerville Avenue, requesting approval of an Entertainment by Devices – Indoors License. (AL22-000009)

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

Attorney Andrew Upton, Meredith White and Jordan Warshaw appeared for this application. Mr. Warshaw stated he would like background music playing in the lobby, elevators, public spaces and the gym. They are also requesting TV's in the gym and meeting room. Chair Lynch asked about the patio areas outdoors and the source of the music. Mr. Warshaw stated the restaurant will have its own music source. He also stated they would be coming back for a third time, within the next month or so, for an Innholders License with Alcohol and to apply for an outdoor speaker in the hotel controlled outdoor areas. Attorney Upton stated this is another in a series of getting the permits in place to operate this hotel in a compliant method for the city.

The commission approved this Entertainment by Devices, Indoors License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

LATE ITEMS

Temporary Outdoor Seating

Alteration of Premises

3.

License #	Business Name	Address	Parklet	Private	Sidewalk	Heating Element
ALM22-000042	Tsurumen Davis	420 Highland Ave			X	
ALM22-000048	La Posada	505 Medford St	X			X
ALM22-000053	Gauchao Brazilian Cuisine	102 Broadway	X		X	
ALM22-000059	Smoke Shop	325 Assembly Row		X		
ALM22-000062	Mike's	8 Davis Sq	X		X	
ALM22-000065	Thai Hut	93 Beacon St			X	
ALM22-000068	Sally O'Brien	335 Somerville Ave	X			
ALM22-000069	Rosebud	381 Summer St	X			
ALM22-000074	Casa B	253 Washington St	X			
ALM22-000076	Oat Shop	22A College Ave			X	

Tsurumen Davis – Brian Postlewaite stated this space was previously Snappy Sushi adjacent to where Blue Shirt was. The main concern is the driveway and the accessible route up rather close to the building. Mr. Postlewaite worked with the applicant to ensure the table on that side is closer to the door, for adequate turning radius for wheelchairs, strollers and so forth. Commissioner Thomas asked if we are enforcing the cleaning requirements for these applicants, he states that the dumpster appears fairly close to table 2. He sited the requirement to have movable items on the tables, in order to be cleaned monthly. Mr. Postlewaite stated the dumpster is for the adjacent property, not the property of Tsurumen Davis and is being used as a landmark on the floor plan. Commissioner Thomas states this submitted floor plan to be the bare minimum acceptable, and is difficult to read and makeout. Mr. Postlewaite agreed, and stated due to the short rollout for the temporary licenses, they have worked with the applicants and have accepted a looser standard. This will not be the case for Permanent Outdoor Seating.

Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

La Posada –Parklet seating with heating elements, and the heating elements were signed off by Fire Prevention. Chair Lynch asked about ADA compliance, this is due to the modular or movable ramp not being present on several site inspections last year. Mr. Postlewaite stated they are providing a full raised platform, and appears to be new construction. He also stated, last year they appeared to put out pallets with carpet over it. The new proposal is a constructed platform with a bridge plate at the entrance. Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Gauchao Brazilian Cuisine - Brian Postlewaite stated they have been going back and forth with the applicant due to the seating filling in many different spaces on the sidewalk. Some seating needed to be pulled back in a number of places, due to not meeting the minimum sidewalk requirements. They will need to go to the Traffic Commission to relocate the loading zone in front, which the seating is displacing. They would not be able to set up this seating until after the Traffic Commission meeting occurs on 5/12/22. A discussion ensued about the architect and the floor plans. A mockup of the platform was photographed and sent to engineering, and did not appear on the architect floor plan, and was approved by engineering. Commissioner Thomas asked about this seating being in front of a residence and also mentioned the dumpster. Chair Lynch clarified that there are apartments above. Mr. Postlewaite stated engineering does not typically review to this level of detail, they ensure public access, that the system works and the concern with adjacent businesses has traditionally been a concern about lack of parking and adjacent businesses to have a parklet themselves. As far as residences and the ability to bring out trash or their ability to park right in front of their residence, this has not been a concern. Mr. Postlewaite stated that a number of locations do have residences about restaurants. A brief discussion ensued about residences in other squares and Assembly row with outdoor seating.

Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Smoke Shop – Private patio being extended. Brian Postlewaite has no issues with this license. This space had pickleball last year.

Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Mike’s – Parklet & Sidewalk Seating. Brian Postlewaite stated they could not reach an agreement with the applicant about the sidewalk seating. Mr. Postlewaite recommended withdrawing the sidewalk seating for now. Total parklet seats of 96, Mr. Postlewaite believes this includes optional seating, in the upper left corner of the floor plan. Mr. Postlewaite states his primary approval condition does not allow seating until the Taco Restaurant on the corner have agreed that they do not want to have seating in this area. Mr. Postlewaite states this is an example where they ask the adjacent property or tenant to confirm that they are fine with the parklet seating. Mr. Postlewaite confirmed, Parklet seats are 96, Optional Parklet seats are 34. They were looking for 16 seats on the sidewalk.

Brian Postlewaite approves this application, for Parklet Seating Only, 96 seats, conditional for Seating in the optional area, 34 seats, to be allowed with the Taco Restaurant providing a letter stating this is acceptable to them. No Sidewalk approval. Commissioner Allen asked about Restroom Capacity. Mr. Postlewaite stated this was waived by the state. Chair Lynch confirmed this.

The commission approved this temporary outdoor seating for Parklet Seating of 96 seats, and a condition that the Optional Seating of 34 Seats requires a letter from the adjacent restaurant stating this is acceptable to them, and cannot NO SIDEWALK Seating, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Thai Hut – 8 Sidewalk seats. The original request was for 2 additional seats on the corner of the intersection. Engineering requested they remove these due to impeding the accessible curb ramps. They are now requesting 8 seats with 4 tables immediately adjacent to the building.

Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Sally O’Brien – Sidewalk and Parklet seating. There will be a platform on the parklet with an enlarged area extending onto the sidewalk. Commissioner Allen requested a clarification on the raised platform as well as the transmission plate. Mr. Postlewaite responded that some of

the applicant's terminology is different. He stated a metal plate that bridges the gap between the wooden platform and the concrete sidewalk is for essentially the same for all the applicants and is effectively level. Commissioner Thomas asked about the Jersey Barriers and what the requirements are for traffic. Mr. Postlewaite replied that there is never a problem with an applicant wanting to install them, when not required by engineering.

Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Rosebud – Parklet seating. This is essentially the same platform as last year. The applicant initially applied for a structure covering similar to Posto and Painted Burro, which was denied in large part due to the Fire Hydrant. The establishment has already installed the platform but Mr. Postlewaite believes they are not serving on parklet. No metal transmission or bridge plate was in place, which is a requirement and will be necessary prior to the inspection of the parklet seating. Chair Lynch requested Mr. Postlewaite contact ISD on this matter. He also stated observations were made across the city, of installations being set up without the approval in place. He expressed concern of these establishments servicing patrons on these premises without approval. Capt. Sullivan stated a picnic table was near the hydrant last year, but they were asked to move it, and they were then in compliance.

Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Casa B – Parklet seating. This is essentially the same as last year. 3 parking spaces will be used on either side of the crosswalk, and this parklet will be gaining access immediately off of that crosswalk. A discussion was held on the floor plan submission and the businesses and parking that show on this plan.

Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Oat Shop - Sidewalk seating. Mr. Postlewaite stated there is sufficient space for this seating right up against the building. Chair Lynch asked if this is the same setup as last year. Mr. Postlewaite stated he believes it is.

Brian Postlewaite approves this application.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Please note: Secretary Lori Batzek stated there seemed to be issues with several of the establishments and differences in the floor plans submitted to the Licensing Commission and what is being approved by Engineering, and expressed concern that the licenses will not be printed properly due to this. It appears that updated floor plans were submitted to Engineering, but were not submitted to the Licensing Commission, and the approvals for the number of seats, do not match the applications. Chair Lynch requested Brian Postlewaite and Lori Batzek reconcile the numbers, and stated that the numbers will always be the numbers presented by Mr. Postlewaite and approved by the Licensing Commission. Mr. Postlewaite requested Lori Batzek work with Isabela.

City of Somerville
Licensing Commission

Regular Meeting by Remote Participation

DRAFT OF THE
Minutes of the Regular Meeting
Monday,
May 16, 2022, at 6:00pm
Posted Thursday, May 26, 2022 at 8:00 pm

*The meeting was called to order at 6:00pm. Present were Commissioners, Lynch, Allen, and Thomas, Lt. Timothy Mitsakis of the Police Dept., Secretary to the Commission Lori Batzek, Assistant City Clerk, Bernabe Rodriguez, Director of Engineering, Brian Postlewaite, Members of the City Staff, Applicants and members of the public.
The meeting adjourned at 8:06pm*

A recording of this meeting is available online

Monday
Regular Licensing Commission Meeting
May 16, 2022
6:00pm

Published Monday, May 12, 2022 at 3:30PM
REVISED – PUBLISHED MONDAY, MAY 12, 2022 AT 5:15PM
REVISED – PUBLISHED, MONDAY, MAY 16, 2022 AT 2:00PM

Pursuant to Chapter 22 of the Acts of 2022, 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 and local cable access government channels.

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

<https://attendee.gotowebinar.com/register/1507670558225603087>

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 3/21/22

The commission approved these minutes

2. Minutes of the SPECIAL Licensing Commission Meeting from 4/11/22

The commission approved these minutes

3. Minutes of the Regular Licensing Commission Meeting from 4/27/22

These minutes are not yet available and will be submitted for the June 2022 Licensing Commission Meeting for approval

4. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, April 14, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

5. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, April 18, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

6. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, April 19, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

7. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, April 20, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

8. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Thursday, April 21, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

9. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, April 22, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

10. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, April 23, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

11. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, April 24, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

12. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, April 25, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

13. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, April 26, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

14. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, April 27, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

15. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, April 28, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

16. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, April 29, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

17. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, April 30, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

18. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, May 1, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

19. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, May 2, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

20. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, May 3, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

21. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, May 4, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

22. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, May 5, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

23. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, May 6, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

24. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, May 7, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

25. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Sunday, May 8, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

26. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, May 9, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

27. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, May 10, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

28. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, May 11, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

29. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, May 12, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

30. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, May 13, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and placed it on file

A discussion was held on the unique circumstances of these notifications and on the requirement to be an approved 12C Caterer. Secretary Lori Batzek confirmed that this Caterer is a licensed 12C Caterer.

OLD AND NEW ITEMS

31. Saint Anthony’s Church d/b/a Saint Anthonys of Padua Parish, 12 Properzi Way requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages and Live Music for a Mother’s Day Dinner to be held Indoors in the Church Hall at 12 Properzi Way on Saturday, May 14, 2022, from 7:00pm – 12:00am with a Rain Date of May 15, 2022 (Alcohol Service) (PEL22-000065)

Chair Lynch stated this application was received very late. He intervened on this matter. They annually hold multiple types of events. Chair Lynch spoke with the City Solicitor’s office and the Executive Director of the ABCC and there was no objection to Chair Lynch invoking administrative powers to approve this license for a one-day event this past Saturday. Chair Lynch gave this license administrative approval, based on this was a low risk event, based on previous licenses issued. Chair Lynch would like the City Clerk’s Office to remind our applicants that we are on deadlines for these applications, and this is a one time only event, that this commission does not like using the administrative power, which defeats the purpose of the three of the commissioners discussing the applications for approval. Chair Lynch asked Lt. Mitsakis if this event had a police detail. Lt. Mitsakis stated they have had details at these events, but it’s also been unfilled numerous times, due to manpower shortages. He also stated he checks on them daily. Chair Lynch requested Lt. Mitsakis provide an email regarding this detail presence because this was a condition for the administrative approval of this license.

The commission approved this Special Alcohol License

TEMPORARY OUTDOOR SEATING

Alteration of Premises

- 32.

License #	Business Name	Address	Parklet	Private	Sidewalk	Heating Element	Dog Area
ALM22-000028	Grainmaker	248 Elm St	X				

ALM22-000058	Boston Burger Company	37 Davis Sq			X		
ALM22-000070	Rincon Mexicano	99 Broadway			X		
ALM22-000077	Foundry on Elm	255 Elm St	X				

Director of Engineering, Brian Postlewaite spoke on these Temporary Outdoor Seating applications:

Grainmaker – Outdoor parklet. Director Postlewaite recommends approval. 14 seats. Engineering worked with the applicant to get an acceptable ramp design. He believes there is sufficient room for the tables and the ramp will be sufficient. Commissioner Allen asked if this will be a removable ramp. Director Postlewaite stated it will be a permanent in place ramp with handrails. Commissioner Thomas asked about the barriers and stated there is a pedestrian traffic increase in this area, due to the train station. He also stated he has a concern for the implementation of water filled and cement barriers, and would like to place this on note with the increase in traffic flow. Director Postlewaite stated these are part of the Licensing commission rules and regulations to separate the zone of alcohol serving from the public walkway. This barrier is to keep people from wandering backwards into moving traffic. Barriers are not required on contiguous locations, just the first parklet.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Boston Burger Company – Sidewalk seating. Director Postlewaite recommends approval. This is the same seating layout as last year. There is sufficient room for pedestrians and all travelers to traverse around it with 6 feet all around.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Rincon Mexicano - Sidewalk seating. Director Postlewaite recommends approval. This seating has been expanded from previous years seating. They have a pre-covid license with a semi-permanent enclosure constructed in the sidewalk for an existing enclosure. This will be replaced with temporary or movable barrier. The sidewalk is

sufficiently wide enough for this barrier. They are almost doubling their seating from last year. Commissioner Thomas asked if there were any engineering conditions placed on this license. Director Postlewaite stated the ADA coordinator has conditioned this, because their table documentation was not perfectly up to snuff, and conditioned this with the basic ADA criteria, and upon inspection in the field, this will be confirmed for compliance. Commissioner Thomas emphasized the need for table heights for a standard wheelchair to have access. He also indicated that there are times when special needs families need a little bit extra width and would like to enter this in the record for consideration. Director Postlewaite has made a note of this, and review this with the ADA Coordinator.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Foundry on Elm – This is a parklet. This is the same seating as the previous year, with a slight change with a raised platform. The applicant worked with the Fire Department to make sure there was adequate access to the fire hydrant. A meeting was held with the Traffic Commission, to permanently relocate the taxi stand in front of Foundry on Elm, across the street in front of Starbucks. Commissioner Thomas stated there were complaints last year about customers being able to get to their Ubers, due to no gaps between the establishments. Director Postlewaite stated that they actually do not want gaps in between the seating, because that encourages jaywalking. He stated nobody should be entering or exiting a vehicle in the middle of traffic. He recommended loading spaces including taxi stands for this, and also stated immediately adjacent to this establishment, is a crosswalk in front of The Burren, and is much more suitable for pickup and drop off. Chair Lynch agreed with Director Postlewaite and state we have to work with safety in mind as well as accommodation of accessibility issues.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

CONTINUED FROM 4/11/22
LICENSEES REPORTING ON THE USE OF THEIR LICENSES

33.

Continued from 4/11/22

Licensing #	Business Name/DBA	Address	Type	Category
AL17-000069	Bergamot LLC/Bergamot Restaurant and/or FAB	118 Beacon St	All Forms	Private
AL17-000326	Teele Square Café, Inc. d/b/a The Basement	1133B Broadway	All Forms	Private

NEW Status

*AL17-000031	RF O'Sullivan's	282 Beacon St.	All Forms	Private
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*AL20-000018 - New Owner picked up License

Bergamot – No one appeared for this item. A discussion was held on how the commission would proceed. Commissioner Thomas requested a time frame from the date the applicant was notified. The secretary looked up the information, and she confirmed a telephone call from Mr. Pooler on 4/13/22 stating he could not be heard at the meeting. Chair Lynch recommended if someone could not be heard at this meeting to contact the secretary. This item was placed at the end of the agenda. Mr. Pooler did appear for this item. He stated Bergamot is closed and will not open again. He renewed his license in December to be able to make a smoother transition with his landlord, to the new tenants, if he gets a new tenant. The landlord helped Mr. Pooler with negotiating out of his lease. He has no intention of using or selling this license. Chair Lynch asked if a lien has been attached to this license. Mr. Pooler stated no. Mr. Pooler stated he intends on giving the license to the new tenant. He also stated he was unsure if there will be another restaurant in this space. Mr. Pooler does not expect to renew this license in December.

The commission made a Motion for no Action today for Bergamot. A Status Report on this license will be required in 6 months, at the November 2022 Licensing Commission Meeting for Bergamot on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

The Basement – Attorney Upton appeared for this item. The owner purchased this license from the La Hacienda for \$25000. He then commenced to build eight additional units on top of 1133 Broadway. During construction, because of the footing and the foundation work, no additional work could be done in the basement. The build-out fit out of this proposed restaurant was delayed due to this. This took a couple of years to resolve, then Covid happened, which delayed things further. The owner is still interested in starting an American style bar with Indian and Nepalese flavor styles with live music which will consist of Indian and Nepalese music and small plates. A letter was submitted from the architect who the owner engaged to give the commission some confidence that this is a real project going forward. Commissioner Thomas asked if there were any timelines in place for the build out process. Attorney Upton did not, but stated the first step is the concept drawings from the architect, and hopes the process will move quickly. Chair Lynch asked how many licenses the applicant owns. He owns one other restaurant license in the city and sold a package store license.

The commission did not take further action on this item, but suggested Attorney Upton to advise his client to stay in touch with the City Clerks office with an email stating the status of this license is that they have engaged an architect, they are starting to build out and supply an expected completion date.

RF O’Sullivans – No further action taken. The commission noted this change in status

CONTINUED FROM 4/11/22 MEETING

Common Victualler

34. MJA Corporation, DBA Los Paisanos Restaurant, 62 Broadway, requesting approval of a Common Victualler license. (AL22-000004)

Chris Sirian and Marcos Lemus Valle appeared for this application. Marcos was an employee of this establishment for approximately a year and is purchasing this business. The same hours will be kept. Mr. Lemus Valle has experience with other restaurants as well.

The commission approved this Common Victualler License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

SPECIAL ALCOHOL LICENSES

35. Diesel Café, 257 Elm St. requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Private Rental Celebration to be held Indoors at 257 Elm St. on **Sunday**, May 21, 2022, from 4:00pm –11:00pm (Alcohol Service)
(PEL22-000061)

Courtney Verhaalen appeared for this application. This event will be on Saturday not Sunday with new hours of 6:30pm – 10:00pm. This is a private event. Ms. Verhaalen stated they will be bringing their own beer. Commissioner Allen asked if they will be purchasing the alcohol from an approved vendor. The secretary can provide this if needed. The server will be Tips Certified.

The commission approved this Special Alcohol License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

36. Saint Anthony’s Church, 12 Properzi Way requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for a Festa Junina 2022 (Brazilian Festival 2022) to be held Indoors and Outdoors (in the parking lot) at 12 Properzi Way on Saturday, June 18, 2022, from 5:00pm –12:00am (Alcohol Service)
(PEL22-000066)

Rafael Olivos appeared for this application. This is a Brazilian festival in the parking lot. This event has been held for approximately 15 years. Between 1000-5000 people will attend this event. A police detail is usually hired for this event, and the police detail office has been contacted. Wristbands will be used. Chair Lynch suggested they get in touch with the secretary for an approved vendor list.

The commission approved this Special Alcohol License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

37. Groundwork Somerville, 138 South Street requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for a Groundwork Somerville Spring/Summer Event Series to be held Outdoors at 138 South St. for the following Dates & Times:

Concert 1 - June 9 from 5:00pm- 8:00pm

Concert 2 - July 21 from 5:00pm- 8:00pm

Concert 3 - August 4 from 5:00pm- 8:00pm

Comedy Night - June 24 from 7:00pm- 10:00pm

Trivia Night - July 13 from 7:00pm- 10:00pm

Harvest Gala - September 18 from 2:00pm- 8:00pm

(Alcohol Service)

(*PEL22-000069)

***Permission is required by the Somerville Redevelopment Authority. The SRA's next meeting is being held on May 18, 2022**

Alexandra Lennon Simon appeared for this application. This event has been running approximately 10 years. They will be partnering with Portico Brewery. Tips certified staff will serve and they will also be providing food. The site can hold up to 100 people. They will be wrist banding. Rain dates of 6/25/22, 7/14/22, & 9/25/22 should be added per the application. Chair Lynch asked about the Entertainment by Performers. The Secretary stated this normally does not appear on this application. Chair Lynch asked Ms. Lennon Simon to be mindful of the noise ordinance. Approval from the SRA is necessary.

The commission provisionally approved this Special Alcohol License with the condition of SRA approval, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

38. HONK! Festival, 10 Poplar St requesting approval Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for HONK! Festival After Party to be held Indoors at the Art Farm on Saturday, October 8, 2022 & Sunday, October 9, 2022 from 6:00pm to 1:00am
(PEL22-000070)

– APPLICATION DENIED, SPACE NO LONGER AVAILABLE

39. Somerville Media Center, no address provided (Organization Name Federal Realty) requesting approval Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Bar Stars to be held Outdoors on the Roof of Block 3 Garage at Assembly Row on Thursday, July 14, 2022 from 6:00pm to 8:00pm
(PEL22-000075)

Chair Lynch recused himself from voting on this application approval. He stated it has been less than a year since stepping down as President of the Board of the Somerville Media Center.

*Haley King and Kat Powers appeared for this application. This event was held pre pandemic. This is a cocktail competition, with a **Rain Date of July 21, 2022**. The Somerville Media Center has been in Union Square for 39 Years, and started as SCAT. The alcohol will be purchased by an approved vendor.*

The commission approved this Special Alcohol License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed and 1 recused (Lynch)

EXISTING ALCOHOL LICENSES

ALL FORMS ALCOHOL

Change of d/b/a, Change of Manager, Change of Officers/Directors, Change of Ownership Interest, Change of Stock Interest and a Change of Hours

40. Bow Street Charm Corp. d/b/a Yoi Sushi & Chinese Restaurant, 16 Bow St. requesting a Change of D/B/A from Yoi Sushi & Chinese Restaurant to Fuki Japanese Cuisine, A Change of Manager from Nicole Xu to Quina Chen, a Change of Officers/Directors & Ownership Interest & Stock Interest from from: JianPei Li-President at 75%, and Nicole Xu-Director at 25% to: Chunglong Zhang-President 75%, Nicole Xu, Director 25% to Chunlong Zhanh- President at, 69%, Lixiang Huang-Secretary & Treasurer at 15%, Treasurer, 15%, Lifei Huang- Secretary at 15%, Qina Chen-Director at 1% and a Change in Hours for Food Service and Alcohol Service from: Mon-Thu 11:00am-10:30pm, Fri-Sat 11:30am-11:30pm & Sun 12:00pm-9:30pm to: Mon Closed, Tue-Sat 11:30am-9:30pm & Sun 12:30pm-9:00pm (ALM21-000081)

*This is an Administrative Item, Change of d/b/a, Change of Manager, Change of Officers/Directors, Change of Ownership Interest, Change of Stock Interest was approved at the 4/11/22 Licensing Commission Meeting, however an AD is required.

**The Change of Hours was not approved at the previous meeting and requires the Licensing Commission to approve these hours

Attorney Duo Liu appeared for this application. Attorney Liu stated these hours are in comparison with the existing restaurants in the area.

The secretary stated this application required an AD in the newspaper.

The commission approved this Change in Hours on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

ALL FORMS ALCOHOL
CHANGE OF MANAGER

41. Thirsty Scholar Barroom LLC d/b/a Thirsty Scholar, 70 Beacon St. requesting approval of Change of Manager from Stephen Whalen to William Harrington (ALM22-000029)

Attorney Ryan Gazda and William Harrington appeared for this application. Mr. Harrington started at the Thirsty Scholar in January. He has previous experience in a restaurant in Boston, Bar Moxie, general manager of Max and Leo's in Sudbury, manager of McGreevy's on Boylston St., Loretta's Last Call on Lansdowne and a few others. Commissioner Thomas asked what type of food will be served and his vision for the City. Mr. Harrington stated they are trying to bring new life into the establishment after covid. They have some new food idea's but will be keeping the same mainstays such as fish and chips, burgers... They are attempting to tap into the younger crowd to bring new life into the area.

The commission approved this Change in Manager on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

ENTERTAINMENT BY DEVICES

42. KB Investments Inc. d/b/a PJ Ryan’s, 239 Holland St. requesting approval of an Entertainment by Devices – Outdoors License (ALM22-000018)

The applicant requested a continuance to the next Licensing Commission Meeting. The commission agreed to continue this item

ALTERATION OF PREMISES

43. Olive, Viola, and Will Inc. d/b/a Dragon Pizza, 233 Elm St. requesting approval for an Alteration of Premises Indoors to extend the premises nextdoor and will increase the seating from 18 seats to 96 seats. (ALM22-000066)

Charlie Redd appeared for this application. Mr. Redd stated they are cutting a door way into next door, with some cosmetic changes and new kitchen equipment. The space was previously a restaurant, India Palace. Chair Lynch asked if this license was returned. Commissioner Thomas asked that he consider energy efficient appliances. The secretary replied to Chair Lynch’s request for information on India Palace. The license was issued to Adakari Inc., approved on 9/21/20 and an email was received from this establishment on 12/14/21, that due to the sudden termination of their lease, they were withdrawing there Alcohol Application. This license was never picked up.

The commission approved this Alteration of Premises on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

NEW

COMMON VICTUALLER, ENTERTAINMENT BY DEVICES INDOORS AND OUTDOORS, AND A PRIVATE PATIO LICENSE

44. Life Alive Café LLC d/b/a Life Alive Organic Café, 40 Holland St. requesting approval for a Common Victualler, Entertainment by Devices Indoors and Outdoors and a Private

Patio License. Application states company name id DPB Desgin with the Legal Name of ACT III Management LLC & Ronald M. Shaich
Hours of Operation Indoors & Outdoor Private Patio: Mon-Sun: 7:00am-9:00pm
(AL22-000007)

Daniel Brennan appeared for this application. Chair Lynch asked about the name on the application. Mr. Brennan stated DPB Design is his company and Mr. Brennan is a consultant for Life Alive Café. Chair Lynch asked the secretary to strike this from the application and put this under Life Alive Café LLC d/b/a Life Alive Organic Café. Chair Lynch asked about the devices outdoors. Mr. Brennan stated it would be low volume background music below conversation level. Chair Lynch asked Mr. Brennan to be careful of the noise, because their hours of operation begin at 7:00am. This is a vegetarian restaurant. This is one of several restaurants in the area.

The commission approved this Common Victualler and Entertainment by Devices Indoors and Outdoors and a Private Patio License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

NEW

Wine and Malt 7 DAY RESTAURANT – ENHANCEMENT AREA,

COMMON VICTUALLER AND SUNDAY HOURS LICENSE

45. Kongdog Somerville Inc. d/b/a Kong Dog Somerville, 236 Elm St. requesting approval of a Wine & Malt License – Enhancement Area, a Common Victualler and Sunday Hours License. Hours of Operation for Food Service & Alcohol Service: Mon-Sun: 11:00am-10:00pm
(AL22-000008)

Wooseok Chang appeared for this application. Mr. Chang provided information on the food being served. He also stated this space had been vacant for a while. Chair Lynch asked what the previous establishment was. Commissioner Allen stated he believed it was either Punjabi Grill or Darbar Grill. Commissioner Thomas stated it looked like Darbar Grill. No delivery will be available.

The commission approved this Wine and Malt 7 Day Restaurant Enhancement Area, Common Victualler and Sunday Hours License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

NEW

ALLFORMS 7 DAY RESTAURANT – ENHANCEMENT AREA

46. Thai J& J LLC d/b/a Siam Ginger, 22 Bow St. requesting approval of an All Forms Alcohol License. Hours of Operation for Food Service and Alcohol Service: Mon-Thu 11:30am-3:00pm & 4:30pm-9:30pm, Fri 11:30am-3:00pm & 4:30pm-10:00pm, Sat 12:00am - 10:00pm and Sun 4:30pm - 9:00pm
(AL22-000012)

*Has an existing Common Victualler License – AL18-000003

Unchalee Juntun appeared for this application. The hours need to be changed for Saturday to open at 12:00pm instead of 12:00am. Siam Ginger has been at this location for 5 years. Commissioner Allen asked if Ms. Juntun has completed the TIPS Certification for both herself and any employees serving alcohol. Ms. Juntun replied that she has.

Jessica Eshelman spoke in support of this application.

The commission approved this All Forms Alcohol 7 Day Restaurant Enhancement Area License on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

LATE ITEMS

47. Communication from Chair Lynch, please remember in your thoughts Vito Vaccaro, a long time, former member of the Somerville Licensing Commission who passed away last week.

Chair Lynch spoke about former Chair Vito Vaccaro who passed away on April 29th. He listed his accomplishments and the service he provided the City of Somerville and

the Armed Forces. On behalf of the Somerville Licensing Commission and the City Clerks Office: Rest easy my friend and we'll take it from here.

48. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, **May 18, 2022** from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and place it on file

49. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, May 19, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and place it on file

50. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, May 20, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The commission made a note of this item and place it on file

TEMPORARY OUTDOOR SEATING

Alteration of Premises

License #	Business Name	Address	Parklet	Private	Sidewalk	Heating Element	Dog Area
ALM22-000057	Spoke	89 Holland St	X				

ALM22-000064	Papagayo	331 Great River Road	X				
ALM22-000075	Taco Loco Mexican Grill	46-48 Broadway			X		
ALM22-000080	The Burren	247 Elm St	X - error		X - correction		
ALM22-000082	Barra	23A Bow St	X				
ALM22-000088	Out of The Blue Restaurant	215 Elm St	X				

Director of Engineering, Brian Postlewaite spoke on these Temporary Outdoor Seating applications:

Spoke – This is a parklet. Director Postlewaite recommends approval. This is a revised seating plan from last year. Engineering has request that the construct a raised platform beneath the canopy, since they do not have room for a full ramp. Documentation and drawings were submitted for this revision. Commissioner Thomas asked how many meters are being used. Director Postlewaite stated he believes it is approximately 3. Commissioner Thomas stated that adjacent businesses should be notified of parking spaces being taken excessively. Director Postlewaite stated that the traffic department is contacted on all parking signs and meter relocations to confirm that it falls under the blanket approval presented by the traffic commission and is being reviewed administratively by the parking department under the traffic commission’s authority, and meters are bagged appropriately. If traffic determines that they have exceeded their plan, they come back to Engineering and ISD to proceed with enforcement.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Papagayo - This is a parklet. This is essentially the same setup as last year, except the documentation from previous years exaggerated the width of the parking spaces, but he does not expect the seating itself to be any different than last year. The only change expected is the installation of a bridge plate at the entrance per the new policy requirements. Commissioner Thomas asked what type of manhole is on the plan. Director Postlewaite stated

he would look up this information and provide it to the commission. Commissioner Allen stated he noticed 2 ADA seats out of 52 and this seems to be lower than the requirement. Director Postlewaite stated this was an oversight and would incorporate this into the approval conditions. Director Postlewaite got back to the commission about the manhole. It is a sanitary sewer manhole and generally, unless a major problem develops, does not require cleaning during a typical year. He does not anticipate any concerns on this manhole.

The commission approved this temporary outdoor seating, with the condition stated by Director Postlewaite, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Taco Loco Mexican Grill - This is sidewalk seating. Director Postlewaite recommends approval. The seating is located in the furniture zone and meets the criteria. Commissioner Thomas asked if they have any barriers. Director Postlewaite stated they do not serve alcohol and this is essential take out seating.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

*The Burren - This is **Sidewalk Seating** (this was placed as parklet seating on the agenda as an error). Director Postlewaite recommends approval. The pre-covid seating was a challenge in the past due to lack of adequate clearance. The applicant worked with Engineering to create a better seating layout to accommodate the 60 inch clear zone.*

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Barra - This is a parklet. Director Postlewaite recommends approval. This is substantially similar to last year. Of note, they will not be providing seating on private property at the rear of their parcel, due to issues with ADA accessibility being insufficient at this location.

The commission approved this temporary outdoor seating on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

Out of the Blue Restaurant – This is a parklet. This application was presented late to the Engineering Division, some time today. This seating is substantially similar to what they

proposed last year, however, based on policy changes, this current application does not meet these requirements. They have delineated them and have them available to send over to the applicant. Director Postlewaite stated he believed this could be resolved within a week or two. Chair Lynch stated this was called to his attention very late. The City Clerk's office pointed out some discrepancies in the application, and the applicant did not pay attention to this. The applicant wanted to know why this item was not appearing on the agenda for this evening. Director Postlewaite will be placing conditions on this application and the license will not be issued until Mr. Postlewaite is satisfied and all city departments have signed off. Commissioner Allen asked if we are moving away from the temporary ramps and requiring replacements with permanent installations. Chair Lynch stated yes. Director Postlewaite stated the raised parklet is up, but not being used yet because the license has not been issued. One of the largest concerns with this particular layout is that they have a step up to get into the parklet, which needs to be resolved and this is the probably the biggest issue to address. The remainder is more administrative and will require documentation and clarity. Commissioner Thomas stated that he would not be able to accept this drawing because of a lack of clarity. Chair Lynch agreed with Commissioner Thomas' statement. He also stated there is \$10,000 available to get an engineered plan. This type of plan will not be accepted for permanent seating. He also stated there would be no more late items.

The commission provisionally approved this temporary outdoor seating, and will not be issued until all city signoffs have been obtained, on a roll call vote with 3 in favor (Allen, Lynch and Thomas), 0 opposed

City of Somerville
Licensing Commission

Regular Meeting by Remote Participation

DRAFT OF THE
Minutes of the Regular Meeting
Monday,
June 13, 2022, at 6:00pm
Posted Friday, June 24, 2022 at 12:00pm

The meeting was called to order at 6:03pm. Present were Commissioners, Allen (acting chair), and Thomas, Lt. Timothy Mitsakis of the Police Dept., Secretary to the Commission Lori Batzek, Assistant City Clerk, Bernabe Rodriguez, Director of Engineering, Brian Postlewaite, Members of the City Staff, Applicants, and members of the public.

The meeting adjourned at 7:52pm

A recording of this meeting is available online

Monday
Regular Licensing Commission Meeting
June 13, 2022
6:00pm
Published Thursday, June 13, 2022 at 2:00pm

Pursuant to Chapter 22 of the Acts of 2022, 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 and local cable access government channels.

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

<https://attendee.gotowebinar.com/register/331126046911492876>

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 SPECIAL Licensing Commission Meeting from 4/27/22

The Commission Approved these Minutes.

2. Minutes of the Regular Licensing Commission Meeting from 5/16/22

The Commission Approved these Minutes.

3. Communication from Chair Joseph Lynch sent to Licensee's for a Notice Regarding Serving Alcoholic Beverages to Minors – Issued: May 27, 2022

The Commission made a note of this item and placed it on file

4. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, May 21, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

5. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, May 22, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

6. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, May 23, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

7. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, May 24, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

8. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Wednesday, May 25, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

9. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, May 26, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

10. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, May 27, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

11. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, **May 28**, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)-**appears to be the wrong date on notice for Saturday, May 27, 2022**

The Commission made a note of this item and the secretary's note, (no reply was received by the Caterer) and this notice was placed it on file

12. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, May 29, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

13. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, May 30, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

14. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, May 31, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

15. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, June 2, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

16. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, June 3, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

17. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, June 4, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

18. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, June 5, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

19. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, June 6, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

20. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, June 7, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

21. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, June 7, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

22. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, June 9, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

23. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, June 10, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

TEMPORARY OUTDOOR SEATING

License #	Business Name	Address	Parklet	Private	Sidewalk	Heating Element
ALM22-000083	Rei De Picanha	129 Broadway	X			
ALM22-000089	Thirsty Scholar	70 Beacon St		X		

Alteration of Premises

24.

Director of Engineering, Brian Postlewaite spoke on these Temporary Outdoor Seating applications:

Rei De Picanha – 30 Parklet Seats

Brian Postlewaite recommends approval of this Parklet Seating. He stated there were no objections from the adjacent business. 2 parking spaces will be used for this parklet and Jersey Barriers will be implemented.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Thirsty Scholar – 36 Private Property Seats

Brian Postlewaite recommends approval of this Private Property Seating. He stated the plans submitted for the tables and chairs were ADA accessible.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

CONTINUED FROM 5/16/22
Existing All Forms Restaurant Alcohol License
Entertainment by Devices Outdoors

25. KB Investments Inc. d/b/a PJ Ryan’s, 239 Holland St. requesting approval of an Entertainment by Devices – Outdoors License (ALM22-000018)

**This item was continued from 5/16/22 meeting per request of the licensee.*

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

Connor Brennan appeared for this application. Mr. Brennan stated he wished to put a speaker outside for piped music during the operation of the outdoor patio. Commissioner Thomas asked how large the speaker would be. Mr. Brennan stated he didn't have that information, because he hasn't purchased it yet, but something not to annoy the neighbors. Acting Chair Allen stated he appreciated Mr. Brennan being proactive about making sure there's no issue, due to the residents living about the establishment.

No members of the public spoke on this application.

The commission approved this Entertainment by Devices Outdoors License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

New
Common Victualler License,
Entertainment by Devices Indoors License

26. Joelito's LLC

d/b/a Gaya Pizzeria

8 Highland Ave.

Angel Chacon Vivas

Hours of Operation: Mon-Sat: 11:00am-10:00pm & Sun: 3:00pm-10:00pm

This is a new owner. Old owner was Sarb LLC AL19-000043

(AL22-000003)

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

Angel Chacon Vivas appeared for this application. Mr. Chacon Vivas stated they purchased this business from the previous owner. Acting Chair Allen asked if the previous owner had an existing Entertainment by devices Indoors License. Mr. Chacon Vivas stated yes and they just had a TV. Mr. Chacon Vivas stated he was new to the restaurant industry. Commissioner Thomas asked how many years of experience he had. Mr. Chacon Vivas replied this is his first.

No members of the public spoke on this application.

The commission approved this Common Victualler and Entertainment by Devices Indoors License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

New
Common Victualler License

27. Shirley the Restaurant LLC
d/b/a Shirley the Restaurant LLC
22a College Ave.
Katherine Bayle
Hours of Operation: Wed-Sun: 8:00am-3:00pm
AL22-000020
*New business at this address. Previous business was Oat Shop – AL17-0000328
(AL22-000020)

Katherine Bayle appeared for this application. Ms. Bayle stated that her lease is ending at Bow Market and she will be opening this establishment with a very similar concept.

The commission approved this Common Victualler License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

New
Common Victualler License,
Entertainment by Devices Indoors License
And Public Sidewalk Seating (Assembly Row)

28. Tatte Holdings LLC
d/b/a Tatte Bakery & Café
305 Assembly Row
DPB Design: Daniel Brennan
Manager: Megan Kittinger
Hours of Operation Indoors & Outdoors: Mon-Sun: 7:00am-9:00pm
(AL22-000022)

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

Daniel Brennan of DPB Design and Brendan Boyle appeared for this application. Mr. Brennan stated this space is currently under construction and is 3838 sq. ft. with 104 interior seats and 16 outdoor patio seats on the public sidewalk for 767 sq. ft. Mr. Brennan confirmed this is a public sidewalk with the landlord. The floor plan was revised to show the ADA compliance per the engineering department.

No members of the public spoke on this application.

The commission approved this Common Victualler, Entertainment by Devices Indoors and Public Sidewalk Seating License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing

All Forms 7 Day Restaurant Alcohol License

CHANGE OF HOURS

INDOORS & OUTDOORS PUBLIC PROPERTY

29. Taco Party LLC d/b/a Taco Party, 711 Broadway requesting approval of a Change of Hours for Food and Alcohol Indoors and Outdoors on Public Property
From: Mon-Sat: 11:00am-10:00pm & Sun: 12:00pm-7:00pm
To: Mon-Sat: 11:00am-10:00pm & Sun: 12:00pm-10:00pm
(ALM22-000096 – For License # AL19-000036)

Keith Shubert appeared for this application. Mr. Shubert stated it gets very busy on Sundays about an hour before they close. Commissioner Thomas asked what Mr. Shubert's seating capacity is. Mr. Shubert stated 34.

The commission approved this Change of Hours Indoors and Outdoors on Public Property on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing

All Forms 7 Day Restaurant Alcohol License

CHANGE OF OFFICERS/DIRECTORS/LLC MANAGERS

30. American Multi Cinema Inc. d/b/a AMC Theatre Assembly Row 12, 395 Artisan Way requesting approval for a Change of Officers:
from:
Adam M. Aron – President/CEO
Sean D. Goodman – EVP/Officer

Daniel E. Ellis - EVP/Officer
Kevin M. Connor – SVP/Officer
AMCE Holdings - Owner

To: Adam M. Aron – Chairman, Chief Executive Officer and President
Sean D. Goodman – Executive Vice President, International, Chief Financial Officer,
Treasurer and Director
Daniel E. Ellis – Executive Vice President, Chief Operations and Development Officer,
and Director
Kevin M. Connor – Senior Vice President, General Council, Secretary and Director
*AMCE Holdings – Owner (this is not listed on the Certificate of Secretary of American
Multi-Cinema, Inc. Notarized on March 28, 2022
(ALM22-000098 for License # AL17-000096)*

*Attorney Andrew Upton and Selena Udon appeared for this application. Attorney
Upton stated no other changes of operation, just the officers in Kansas. A discussion
was held on the titles listed.*

*The secretary stated the document showing AMCE holdings on the Certificate of
Secretary of State was received and sent to the commissioners*

*The commission approved this Change of Officers/Directors on a roll call vote with 2
in favor (Allen and Thomas), 0 opposed*

Existing
All Forms 7 Day Restaurant Alcohol License

Entertainment by Performers Indoors

31. Rincon Mexicano Inc. d/b/a Rincon Mexicano, 99 Broadway requesting approval for an
Entertainment by Performers Indoors License
ALM19-000009 for License # AL17-000202)

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

*Lorenzo Reyes appeared for this application. Mr. Reyes stated he would like to have a
Mariachi Band approx. once a week, with no amplified music.*

No members of the public spoke on this application.

The commission approved this Entertainment by Performers Indoors on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing
Wine and Malt 7 Day Restaurant Alcohol License

Change of Stock Interest,
Change of Officer/Directors,
and a Change of Manager

32. The House of Kebab Inc. d/b/a The House of Kebab, 719 Broadway requesting approval for a Change of Stock Interest from: Tarsem Singh 100% to Muna Ray 100%, a Change of Manager from Amrik Singh Seta to Bishnu Dabadi and a Change of Officers/Directors from:

Tarsem Singh – President

To: Muna Ray – President/Director

Sanjay Ray – Treasurer

Tarsem Singh – Secretary – (corrected name)

(ALM22-000012 for License # AL17-000335)

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

Attorney David Galusi appeared for this application. Attorney Galusi stated this restaurant is changing hands with Mr. Singh staying on as Secretary to provide some guidance. The previous Manager and Chef Amrik Singh is leaving and being replaced by the new Manager and Chef Bishnu Dabadi.

No members of the public spoke on this application.

The commission approved this Change of Stock Interest, Change of Officer/Directors and Change of Manager on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing
All Forms 7 Day Restaurant Alcohol License

Change of Manager

33. RF O’Sullivan’s Saloon LLC d/b/a RF O’Sullivan’s, 282 Beacon St. requesting approval for a Change of Manager from: Brianna Classen to: Tyler Smith
(ALM22-000073 for License # AL20-000018)

Attorney Michael Ford and Tyler Smith appeared for this application. Attorney Ford stated Mr. Smith has over 10 years of experience in this industry, with 4 months at R.F. O'Sullivan's, and has worked at Rochambeau, Area Four and Lolita's Cucina and Tequila Bar. He is TIP certified, Serv Safe certified and Choke Saver certified. Mr. Smith stated this will be his first manager of record, but has been managing different establishments for the last 10 years, with no actions from the ABCC or local Licensing Commissions. Mr. Smith stated he loves to hire locally.

The commission approved this Change of Manager on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing

All Forms 7 Day Restaurant Alcohol License

Alteration of Premises,

Entertainment by Devices Outdoors,

Entertainment by Performers Indoors and Outdoors

and Termination of Management Agreements

34. Bow Market Entertainment, LLC d/b/a Bow Market Hall, Comedy Studio, Rebel Rebel, Gallery, Saus, Tanam and Create, 30 Bow St. requesting approval for an Alteration of Premises (renovation of the space known as "The Comedy Studio" including adding 528 Sq Ft of space with a new name of the proposed space to be "Upstairs at Bow " and "Barfly"), an Entertainment by Devices Outdoors License, an Entertainment by Performers Indoors and Outdoors License and a Termination of Management Agreements for: The Comedy Studio Inc. and Create Studio Ventures LLC. The following Management Agreement entities remain in place and effect under the Licensee: 1. Olio Culinary Company (Tanam), 2. Rebel Rebel, LLC and 3. Saus Somerville LLC (ALM22-000087 for License # AL17-000315)

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

Attorney Nick Zozula and Zack Baum appeared for this application. Attorney Zozula stated there are 3 amendments. The first is a renovation of the space, formerly used for the Comedy Studio, which will include an addition of an open-air covered porch area and will be renamed Upstairs at Bow, approximately 528 sq. ft. and adding seating capacity outdoors to the premises. This will update and expand the existing bar spaces and adjust the layout of the tables and chairs. He stated this is one liquor license owned and operated by Bow Market Entertainment with several sub licensees under

management agreements, which allow small businesses to operate under a liquor license without having to have all the costs of a liquor license. The Comedy Studio is moving back to Harvard and Create is looking for a larger space, and these two entities will no longer be acting as managers, and no new managers are proposed to replace these spaces, and these spaces will now be directly managed by Bow Market Entertainment. The added outdoor space will be on the second floor, existing space, from the side of the Comedy Studio space, over the court yard as a balcony area. A discussion was held on this area. Commissioner Thomas asked the process status of this renovation plan is currently, and have they been submitted to the city. Mr. Baum stated these plans have been submitted to Engineering for building permits. Acting Chair Allen asked about the entertainment. Attorney Zozula stated they want to add both amplified music and DJ performance to the Upstairs at Bow, similar to a European Market. Acting Chair Allen asked about the current entertainment and a discussion was held about this and one day special alcohol licenses. He also asked if any noise complaints were received during the special alcohol/events licenses during the last two years. Mr. Baum stated there were none and stated they are in very close communication with the neighbors. Commissioner Thomas asked if there are any increases in capacity. Attorney Zozula stated with the adjustments in the balcony, there would be an increase of 46 seats and an increase of 60 in the occupancy. Commissioner Thomas asked about how many entries there were to access the upstairs. Mr. Baum stated the architect stated the egresses were overbuilt previously, and there is also an emergency egress in the back of the Comedy Studio. Acting Chair Allen asked for a clarification of the management agreements. Attorney Zozula stated under the management agreements, the managers take responsibility for their mini license premises under their agreement with Bow Market Entertainment. Bow Market Entertainment has the authority and the purview and liability. The management agreement lays out what they can and cannot do, how they operate and how they can act on behalf of the licensee. These spaces will now be directly managed by Bow Market Entertainment and new management agreements will not be in place. Commissioner Thomas asked about the new spaces ADA accessibility. Mr. Baum stated this space is ADA accessible and across from the elevator.

No members of the public spoke on this application.

The commission approved this Alteration of Premises, Entertainment by Devices Outdoors, Entertainment by Performers Indoors and Outdoors and Termination of Management Agreements on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing
Wine and Malt Package Store License

Change of Officers/Directors/ LLC Managers
And a Change of Ownership Interest

35. Jai Gitanjali LLC d/b/a Get N Go 152 Highland Ave. requesting approval of a Change of Officers from Brijesh Kapadia, LLC Manager to Vijay Kapadia, LLC Manager and a Change of Ownership Interest

FROM: Brijesh Kapadia, LLC Manager – 50%

Puja Kapadia, LLC Manager - 25%

Antimkumar Parikh, LLC Manager – 25%

TO: Vijay Kapadia, LLC Manager – 50%

Puja Kapadia, LLC Manager - 25%

Antimkumar Parikh, LLC Manager – 25%

(ALM22-000093 for License # AL20-000025)

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

Elizabeth Pisano appeared for this application. Ms. Pisano stated there are no other changes being made, just a corporate change. Commissioner Allen asked how many years' of experience Mr. Vijay Kapadia has. Ms. Pisano stated she did not know, but that Mr. Kapadia is part of the family and he has been working for the stores.

No members of the public spoke on this application.

The commission approved this Change of Officer/Directors/LLC Manager and a Change of Ownership Interest on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

New

All Forms 7 Day Restaurant License - Assembly Row Area

Common Victualler License,

Entertainment by Devices and Performers Indoors and Outdoors License,

A Sunday Hours License

And Outdoor Patio (Private) License (Assembly Row)

36. Civility Inc. d/b/a Civility Social House, 490 Foley Street requesting approval of an All Forms 7 Day Restaurant License - Assembly Row Area, a Common Victualler License, an Entertainment by Devices and Performers Indoors and Outdoors License, a Sunday Hours License and an Outdoor Patio (Private) License (Assembly Row).

Hours of Operation Indoors and Outdoors for Food and Alcohol:

Mon-Sun: 11:00am-12:00am

(AL22-000016)

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

Brad Dalbeck appeared for this application. Mr. Dalbeck stated Legendary Restaurant Group operated the Burger Dive, and currently operates Papagayo. He is looking to add a new concept for this space that has been vacant for quite a while. Mr. Dalbeck confirmed the outdoor area is private property and this was confirmed by David Middleton. Mr. Dalbeck also stated that Mr. Damian who will be the manager and principal owner has been in the industry with Mr. Dalbeck for over 40 years and understands all the license laws, and they have had no incidents at the locations mentioned. Mr. Dalbeck confirmed Mr. Damian is TIPS certified. The premises is currently under renovation, and they are hoping to open sometime in August, depending on the approval process.

No members of the public spoke on this application.

The commission approved this All Forms 7 Day Restaurant License - Assembly Row Area, Common Victualler License, Entertainment by Devices and Performers Indoors and Outdoors License, A Sunday Hours License And Outdoor Patio (Private) License (Assembly Row) on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

LATE ITEMS

SPECIAL ALCOHOL LICENSES

37. Night Shift Brewing, 87 Santilli Hwy, Everett, MA requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Owls's Nest at Assembly Row by Night Shift Brewing to be held Outdoors at 325-375 Assembly Row Daily on 7/6/22 – 8/4/22, from 11:00am –10:00pm (Alcohol Service) (PEL22-000088)

Mr. Matthew Eshelman appeared for this application. Mr. Eshelman stated they operated last summer, all season long until the end of October, with a refrigerated draft container with 48 taps. They served both beer, cider and wine under their farmers brewers and farmer winery licenses. They have managers on duty and TIPS certified bartenders and will be partnering with local restaurants so guests can order food. They partnered with Smoke Shop last year. They are requesting a larger space, which they used at the end of the season last year, to include some of the green space. They will use this space for a beach volleyball setup, and guests will be able to have a drink while watching the event. No issues were reported last year with the Police Dept. or noise complaints received from abutters. A short discussion was held on PKL and

the pickleball area. Mr. Eshelman stated they will not be returning and Federal Realty is developing this area.

The commission approved this Special Alcohol License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

38.

LATE ITEMS

Alteration of Premises

<u>Temporary Outdoor Seating License #</u>	<u>Business Name</u>	<u>Address</u>	<u>Parklet</u>	<u>Private</u>	<u>Sidewalk</u>	<u>Heating Element</u>
ALM22-000081	Fuki Sushi	16 Bow St	X			
ALM22-000084	Siam Ginger	22 Bow St	X		X	
ALM22-000085	Tu y Yo Mexican Restaurant	858 Broadway			X	
ALM22-000090	True Grounds	717 Broadway			X	
ALM22-000091	Taco Loco Mexican Grill	46-48 Broadway	X		X	
ALM22-000092	Tapatio	82 Broadway	X			
ALM22-000096	Taco Party	711 Broadway			X	
ALM22-000097	Highland Kitchen	15 Highland Ave		X		

Director of Engineering, Brian Postlewaite spoke on these Temporary Outdoor Seating applications:

Fuki Sushi – 20 Parklet Seats

Brian Postlewaite recommends approval of this Parklet Seating. This seating is partially on the sidewalk and the public way. Director Postlewaite placed a condition of approval for this license, by adding a Traffic Barrier Upstream. He stated the Traffic and speed of vehicles in this area warrant this barrier. He also stated any arterial street requires a barrier. Commissioner Thomas asked how far out the parklet extends beyond the existing parking spaces. Director Postlewaite stated no more than the existing parking spaces.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Siam Ginger – 4 Sidewalk Seats & 12 Parklet Seats

Brian Postlewaite recommends approval of this Sidewalk & Parklet Seating. He stated they had worked with the applicant on this. They also worked with the Traffic Commission, (and appeared at this meeting on Thursday night), and Traffic and Parking on consolidating the 2 loading zones, which were right next to each other, into 1 Loading Zone in front of the US Postal Service. Union Sq. Donuts & Siam Ginger now will have 2 metered parking spaces instead of a loading Zone. No other conditions are necessary except the barrier.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Tu y Yo Mexican Restaurant – 16 Sidewalk Seats

Brian Postlewaite recommends approval of this Sidewalk Seating. Mr. Postlewaite stated they worked with the applicant on this to ensure a sufficiently wide and clear sidewalk and is in compliance with the 48 inch clear sidewalk. The applicant is not proposing a fence or barrier around the seating and has a liquor license. Mr. Postlewaite asked the commission if this conflicts with the commission's requirements. The secretary stated a barrier is not needed, however, it does need to be distinguished separately. Mr. Postlewaite stated there have not been any issues with seating areas on the sidewalk without a barrier, and the required compliance. Acting Chair Allen stated the Somerville Licensing Commission Rules & Regulations for 1.18 part B (secretary confirmed, after this meeting, this should be part C): "it is essential that the licensee have control of the area in order to preclude service to underage persons to intoxicated persons etc, the premises must be enclosed by a fence, rope or other means, to present patrons or members of the public from wandering in or out. The enclosure must be described in the approved plans." Acting Chair Allen stated he concludes this means some sort of divider between the public way and patio seating when liquor is being served.

Acting Chair Allen provided the following language for these minutes:

"The Commission voted to approve, but noticed that the design as submitted to Engineering was incompatible with 1.18.C of the Licensing Commission Rules and Regulations, meaning alcoholic beverages could not be served on the patio as currently proposed. As proposed, alcohol cannot be served on the patio. If the applicant provides Engineering with a new design that has any kind of divider between it and the public way, and receives Engineering sign off, they are good to serve alcohol with no further action from the commission."

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

True Grounds – 12 Sidewalk Seats

Brian Postlewaite recommends approval of this Sidewalk Seating. Mr. Postlewaite stated they worked with the applicant on this to resolve their seating and come up with a good compromise. This seating area is complicated due to a bike rack in the middle of their frontage and is important to maintain this access. Engineering is working with DPW to shift the garbage bins in the lower left corner of the floor plans, closer to the traffic cabinet labeled as a utility vault, in order to shift the seating over to the left a few feet. The trash recycling will be shifted closer to the building in order to maintain access to the parking meter.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Taco Loco Mexican Grill – ALM22-000091 – 16 Sidewalk Seats & 3 Parklet Seat

Brian Postlewaite recommends approval of this Sidewalk & Parklet Seating. Mr. Postlewaite stated they current have a temporary license, and they are amending this license. They currently have 3 or 4 seats on the sidewalk. Additional seats are being requested in the parklet. He states engineering wants to be abundantly clear that they need to have a 48 inch passageway from the sidewalk to the parklet for ADA accessibility. The majority of ADA seating is on the sidewalk, with one handicap space in the parklet. Commissioner Thomas asked if the Fire Department approved the distance from the seating on the sidewalk and the second and third seats. Mr. Postlewaite stated this application was routed to Fire and they did approve this, specifically with proximity to the hydrant, he stated that Fire previously stated they generally are comfortable with movable chairs within proximity of the fire hydrant, it is the semi-permanent structures that have the critical 10-foot rule.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Tapatio – ALM22-000092 – 20 Parklet Seats

Brian Postlewaite recommends approval of this Parklet Seating. Mr. Postlewaite stated they have met all the requirements engineering had, with no conditions other than standard Parking Department conditions required for all parklets. Super Dollar plus was communicated with.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Taco Party – 12 Sidewalk Seats

Brian Postlewaite recommends approval of this Sidewalk Seating. Mr. Postlewaite stated this application meets all the criteria that engineering has. The ADA coordinator did review the seating. He stated he noticed that it doesn't appear to be labeled as ADA on the floorplan, but all the seating available for all seats is acceptable. Acting Chair Allen asked if there is over four feet distance between the railing and the store front. Mr. Postlewaite stated there was.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Highland Kitchen – 40 Private Property Seats & 7 Propane Heaters – *withdrew request for 7 Propane Heaters on 6/10/22 by email*

Brian Postlewaite recommends approval of this Private Property Seating. Mr. Postlewaite stated this applicant is taking advantage of the city's flexibility in regards to the documentation they provided, but this location is entirely on private property and they did provide seating information to confirm accessible tables, and all tables are accessible with a single type of table provided. A discussion was held as to the stores abutting this parking lot. Mr. Postlewaite stated that part of the agreement with their neighbors and landlord is the removal of the furniture at the end of every day, so loading, dumpster removal and other back of house work can proceed during the day. Acting Chair Allen stated that this outdoor seating also falls under 1.18B (secretary confirmed, after this meeting, this should be part C), for a cordoned off area where alcohol is served.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

LATE ITEMS

SPECIAL ALCOHOL LICENSES

39. Forge Baking Company, 626 Somerville Ave., requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for A Cambridge School, Peabody Terrace Children Center, is hosting an appreciation night for their teachers to be held Indoors at 626 Somerville Ave. on Friday, 6/24/22, from 6:30pm – 9:30pm (Alcohol Service)
(PEL22-000091)

Cortney Verhaalen appeared for this application. Ms. Verhaalen stated the owners son goes to the school holding this event, and they will be hosting a teacher appreciation night. There will be approximately 30-35 guests. The server will be TIPS certified. Ms. Verhaalen stated they will be using an approved vendor to purchase the alcohol. Ms. Verhaalen stated they will not be holding End Season Dinners, and that they have their hands full after the pandemic. The majority of the special alcohol licenses being held now, will be for people wanting to rent their space.

The commission approved this Special Alcohol License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

LATE ITEMS

Existing

Wine & Malt 7 Day Alcohol License – Quota W&M License

***Change of Manger**

****Administrative Item Only in Citizen Serve**

40. Davis Square Food Services Inc. d/b/a Boston Burger, 37 Davis Sq. requesting approval for a Change of Manager, in Citizen Serve from Justin Lisonbee to Paul Malvone.

**ABCC lists Paul Malvone as the current manager. Citizen Serve lists Justin Lisonbee as the current manager.*

ALM22-000094 for License # AL17-000094

****This is an administrative item only**

The commission made a note of this Administrative Item

LATE ITEMS

COMMUNICATIONS

41. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, June 13, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

42. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, June 14, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

43. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, June 15, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

44. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, June 16, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

45. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, June 17, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

46. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, June 18, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

47. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, June 19, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

48. **No 12C Caterers notification received for: Wednesday, 6/1/22, Saturday, 6/11/22 or Sunday, 6/12/22

The commission did not address or take note on this notification by the secretary

City of Somerville
Licensing Commission

Regular Meeting by Remote Participation

DRAFT OF THE
Minutes of the Regular Meeting
Monday,
July 18, 2022, at 6:00pm
Posted Monday, August 8, 2022 at 2:00pm

The meeting was called to order at 6:02pm. Present were Commissioners, Lynch, (chair), Allen and Thomas, Lt. Timothy Mitsakis of the Police Dept., John Howe of the Police Dept., Capt. Dennis Sullivan of the Fire Department, Matthew Mitchell Director of Prevention Services, Secretary to the Commission Lori Batzek, Assistant City Clerk, Bernabe Rodriguez, Director of Engineering, Brian Postlewaite, Members of the City Staff, Applicants, and members of the public.
The meeting adjourned at 10:24pm

A recording of this meeting is available online

Monday
Regular Licensing Commission Meeting
July 18, 2022
6:00pm

Published Thursday, July 14, 2022 at 4:30pm

REVISED – Published, Monday, July 18, 2022 at 2:30

REVISED – PUBLISHED, MONDAY, JULY 18, 2022 AT 3:15PM

Pursuant to **Chapter 107 of the Acts of 2022**, 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 and local cable access government channels.

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

<https://attendee.gotowebinar.com/register/4512432428676507408>

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 6/13/22

The Commission Approved these Minutes on a roll call vote with 2 in favor (Allen and Thomas), 1 abstained (Lynch)

2. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, June 22, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair) – ***received later than the required 48 hours notice***

The Commission made a note of this item and placed it on file

3. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, June 23, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

4. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, June 24, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

5. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, June 25, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

6. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, June 26, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

7. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, June 27, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

8. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, June 28, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

9. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, June 29, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

10. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, June 30, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

11. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, July 1, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

12. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, July 2, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

13. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, July 3, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

14. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, July 4, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

15. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, July 5, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

16. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, July 6, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

17. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, July 7, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

18. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Friday, July 8, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

19. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, July 9, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

20. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, July 10, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

No notice received for Monday, July 11, 20200 or Tuesday, July 12, 2022

21. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, July 13, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

22. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, July 14, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

23. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, July 15, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

24. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, July 16, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

25. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, July 17, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

VIOLATION

26. Woody's, Inc. d/b/a Woody, 523 Broadway for a hearing pursuant to the provisions of G.L. Chapter 138 §§ 15, 23 and 64 and Somerville Licensing Commission Rules to show cause why the All Forms Package 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 Massachusetts General Laws, regulations, and/or Somerville Licensing Commission Rules and Regulations to wit:

Somerville Licensing Commission Rule 1.08 (f) – Licensees are responsible for ensuring that minors are not served alcoholic beverages and are not drinking alcoholic beverages on the licensed premises, whether served to them by an employee or handed to them by another patron. Licensees who do not have the ability to keep track of the drinking activity of minors at the premises may exclude minors from coming onto the premises in order to meet the burden of ensuring that there is no underage drinking at the premises. Licensees who choose to permit minors onto the premises, whether pursuant to an “I.D. bracelet” program or otherwise, are held accountable if minors are found to be drinking alcoholic beverages on the premises, whether or not the Commission’s agents are able to prove that the licensee actually served the drink directly to the minor. Sufficient security personnel should be employed to monitor the premises to ensure that patrons do not pass alcoholic beverages to minors.

Somerville Licensing Commission Rule 1.08 (i) – Whoever makes a sale or delivery of any alcoholic beverages or alcohol to any person under twenty-one years of age, either for his own use or for the use of his parent or any other person, or whoever, being a patron of an establishment licensed under section 12 or 15 of General Laws Chapter 138 delivers or procures to be delivered in any public room or area of such establishment any such beverages or alcohol to or for use of a person who he knows or has reason to believe to be under twenty-one years of age or whoever procures any such beverages or alcohol for a person under twenty-one years of age in any establishment licensed under section 12, or procures any such beverage or alcohol for a person under twenty-one years of age who is not his child, ward or spouse in any establishment that is a package store, shall be subject to disciplinary action by the Licensing Commission.

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

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.

The date of the alleged offense is 05/28/22 and 6/4/22.

Chair Lynch read the alleged Somerville Violation Codes into the record and the alleged dates of the violations. Commissioner Allen read the police reports into the record, as submitted by Detective Howe. Chair Lynch asked that the report from May 28th be corrected from the year 2002 to the correct year of 2022. Detective Howe confirmed this would be corrected. Detective Howe stated these reports were accurate to the best of his knowledge.

John Wood owner of this establishment appeared for this alleged violation. Mr. Wood stated he was in receipt of the Somerville Licensing Commission request to appear and would be representing himself. He also confirmed that he was in receipt of the documents outlining the allegations against his establishment. Chair Lynch requested Lt. Mitsakis and Detective Howe how the information came to their attention and the result of the investigation. Lt. Mitsakis stated on May 9, 2022, the Police Department received a complaint through a citizen observer, through City Hall, regarding a complaint about an underage, daughter and friend, aged 17 and 19, purchasing alcohol through Woody's Liquor at 523 Broadway. After reviewing the complaint, Lt. Mitsakis assigned Detective Howe to observe the premises to determine if any underage purchase of alcohol was taking place. Random dates were picked. On May 28th and June 4th, Detective Howe confiscated alcohol from underage persons, purchased from

Woody's. Lt. Mitsakis stated there were a couple of interactions with an employee as well.

Commissioner Allen asked Detective Howe about multiple people entering and leaving, apparently carrying nothing out of the establishment and why this was mentioned in the report. Detective Howe stated he did this to show that possibly, whoever, was on staff that night, was actually carding individuals and if in fact they were under 21, they were being denied service to purchase the beverages in question.

Mr. Wood stated the establishment has been at this premises for 32 years and owns another Woody's Liquors in East Boston. Chair Lynch asked if Mr. Wood has been called for notice of violation hearing within the last 5 years at any of his licensed establishments. Mr. Woods stated no. Chair Lynch asked if anything further back than 5 years has been received. Mr. Wood stated in his memory in almost 20 years, there has been nothing. Chair Lynch inquired about any training he provides to his employees who sell or transport for delivery alcoholic beverages. Mr. Wood stated all the clerks who work for Woody's are all trained by himself who has been TIPS trained. He stated his motto is "When in Doubt, Send Them Out". Mr. Wood stated the problem, especially as of late, is the rampant making of false ID's, and he has about 3 ½ inches of confiscated ID's., and also said they are very good and the bar code on the back actually works in the ID machine. He stated he has absolutely no doubt that his employee's carded the individuals that were pulled out outside. Chair Lynch asked if Mr. Wood has a list of his employees available to the SPD, the Licensing Commission and the ABCC with the status of whether or not they've gone through 21 and/or TIP Certification. Mr. Wood stated he is unaware of the 21 training but the list is available and as previously stated, he is TIP certified and trains his staff himself. Mr. Wood stated the events sound accurate with the individuals outside being asked if the staff requested an ID, however he wished he was asked to provide video of the incidents to prove they were carded. He also stated that the ID's are visually looked at, while in his staff's hands. Mr. Woods stated the staff who worked those weekends stated no one held their thumb over the birth date on the ID. He is also 100% positive that the individuals produced fake ID's and did not give them to the officers. He also stated if the customer is unknown to the staff, they are carded. Mr. Woods also stated that they knew the officers were outside carding individuals and it would have been business suicide not to card. Chair Lynch stated according to the police reports there were 5 individuals asked if they were carded, 3 responded no, 1 responded yes and 1 responded they covered the birth date. Mr. Woods stated the verification system is provided by their POS system, which is the liquor store controller system that identifies what a MA license should look like. Commissioner Allen asked for clarification on the POS system. Mr. Woods stated that the system will show what the ID should look like from

an individual state. He also stated the POS system reads the bar code, but some of the fake ID's will pass the system. No record is created with the system he currently has, and there is an expensive updated system is available, but is not 100% effective. Commissioner Thomas asked Mr. Woods about a June 30, 2010 incident and a six-day suspension. Mr. Woods replied he did not have a violation for this date. The Commissioner also stated the difference in under 21 ID's and that they are vertical instead of horizontal. Commissioner Thomas asked if Mr. Woods has a pdf or PowerPoint or training materials that he uses to train his employees. Mr. Woods stated he is not proficient with PowerPoint and trains his employees verbally with his almost 40 years of experience. Chair Lynch asked Detective Howe how the SPD assists the licensees with the confiscated ID's. Lt. Mitsakis replied to this question. He stated they do not have any enforcement on fake ID's other than if someone is pulled over, or if it is used to purchase alcohol, the SPD can press charges, but this is left up to the discretion of the establishment. Chair Lynch asked Matthew Mitchell Director of Prevention Services Division of Health and Human Services Department if he had any services to offer the commission or licensees in terms of how to identify fake ID's. Mr. Mitchell stated he does Serve Smart Trainings to any new liquor license. He strongly recommends asking for a second form of ID, if there are any concerns or doubts. Mr. Mitchell also stated that he has spoken with other liquor stores and they also state the POS system is sometimes not the most effective. A discussion was held on a second ID. Chair Lynch asked if Mr. Mitchell could provide any TIPS Certification assistance. Mr. Mitchell stated he could direct them to the TIPS Training, but this is not done in house with his department. A discussion was held on TIPS Training and is usually for Bar Staff, Waiters and Waitresses, but would recommend this training to all. Commissioner Allen asked how often investigations like this performed by the department and has he had any in recent history with no findings or violations. Lt. Mitsakis stated he has been with the commission for approximately 1 1/2 to 2 years and cannot answer to what Sgt. Chaille did in this position, but the department has stings, however, with Covid, not much has been done. The department was notified by complaint and must act on this. He also stated random checks have been done during the holidays on establishments. No violations were reported at Christmas or New Year's during these random checks. Commissioner Thomas stated for the record a ruling from the ABCC dated November 8, 2011, which states by decision dated June 30, 2010 the Commission had previously ordered a (6) six day license suspension but had held the suspension in abeyance for a period of (2) two years provided no further violations occurred. Based on the violation above, the licensee violated the conditions that his (6) six-day suspension being held in abeyance. The Commission hereby orders the suspension to be served on and after the (6) day suspension. The licensee will serve a total of (12) twelve days. This decision was put into the record on September 13, 2011 for Woody's Liquors, 523 Broadway, Somerville, MA 02144,

Licensee number 113000085. Commissioner Thomas stated he entered this information into the record because the licensee updated nothing within the last 20 years. Mr. Wood stated he completely forgot about this, because this had nothing to do with serving a minor, they were a type of gambling machine, and he had no knowledge of this being illegal, when he found out, he removed these machines. Commissioner Thomas stated this is correct, the violation was for these machines. He also stated there were prior violations, including one from July 18, 2013 and this was for an underage purchase. Mr. Wood stated this was not true. Chair Lynch stated the violation for an illegal gambling machine has no bearing on this case. Commissioner Allen stated he found an April 20, 2010, for a delivery to an underage person at a residence, at Mr. Wood's East Boston premises for a 6 day suspension with 3 days held in abeyance, located at 1035-1037 Saratoga St. Chair Lynch reminded Mr. Wood that he had asked him, at the beginning of this hearing, at any establishment Mr. Wood has been licensed to sell in the Commonwealth of Massachusetts has he had any run-ins with the local licensing authorizes or the ABCC. Mr. Wood stated he did not remember this, and he was speaking about his Somerville location. Chair Lynch requested the record show that the 1st question he asked the licensee is if he had any infractions in the last 5 years. Chair Lynch also stated that there have been no disciplinary hearings related to the sale of alcohol to under 21 in the last 5 years.

Chair Lynch stated that when Detective Howe spoke to the individuals that he suspected as being underage, the report indicates that when 3 of the individuals were asked if they were carded inside of Woody's Liquors, they replied no, and Detective Howe also stated that all three individuals when asked to produce their ID, they said they did not have one. Chair Lynch asked in the police jurisdiction of doing an investigation, if he is allowed to request a wallet to see if they do have an ID. A short discussion was held about the reports. Chair Lynch asked when an individual says to the investigative officer, I don't have an ID on me, what recourse does the SPD have. Detective Howe stated he could call in over the radio and ask dispatch to confirm the information the individual proved to him verbally, he chose not to do so, because he spoke with the gentlemen on May 28th and they appeared to be truthful in their answers, with dates of birth, places where they resided, and he did not feel the need to run them through dispatch.

Chair Lynch asked Mr. Wood, what disciplinary action he has taken or will take on the individuals in his employ. Mr. Wood stated one employee, was a recent employee hired in January, and was terminated for this and other infractions. The other employee, has worked at the establishment for 2 years, has continued to work for Mr. Wood, and has been reprimanded and told he must 100%, without a doubt, if he is unsure to send them out. Chair Lynch asked if any other remedial action has been taken since

notification of this hearing. Mr. Wood stated they have been 1000% more diligent, and if there is any question whatsoever, they have been sent out.

Public Comments:

Doug Carriger of Medford spoke in support. He stated he was in the establishment on June 4th, on 3 different times, and he was carded and is 57 years old. On all occasions on this day, he stated the gentleman behind the counter was carding everyone.

Rudy Onassis of Somerville spoke in support. He stated he has been a customer of this establishment for years and always see's customers being carded, and has also seen individuals kicked out if they don't provide an ID.

The commissioners deliberated on this matter and determined this would be considered a 1st offense.

The Commission voted to sanction the establishment by restricting the Licensee's hours to 9:30AM to 10:00PM (from 9:30AM to 11:00PM) for a Thursday, Friday, and Saturday to be determined after the appeals window for this decision has ended. In addition, the Licensee shall require TIPS certification for all counter and delivery employees and provide documentation of said TIPS certification to the Licensing Commission within two months after the appeals window for this decision has ended. In addition, the Licensee shall post conspicuous signage at the front entrance door of the establishment and at the front counter stating that they card regularly.

The commission voted to sanction this establishment on a roll call vote with 3 in favor (Lynch, Allen and Thomas), 0 opposed

New

Common Victualler License

27. Yego Coffee LLC
d/b/a Yego Coffee
1198 Broadway
Francois Tuyishime
Hours of Operation: Mon-Sun: 6:00am-8:00pm
AL22-000024

Please note: The lease states the address is 1212 Broadway

*New business at this address. Previous business was Sushi Sushi – Did not have a CV license, only a Food Establishment license

(AL22-000024)

Franciois Tuyishime appeared for this application. Mr. Tuyishime stated he is originally from Rwanda and grew up in a coffee farming family. He immigrated in 2015 and began training in coffee roasting and serving in 2017. He is currently a roaster at Saxon V Café in Framingham. He has been selling roasted coffee in Farmers Markets. He also imports coffee from his family company in Rwanda. Commissioner Allen asked what the correct address is. Mr. Tuyishime stated it is 1212 Broadway. Commissioner Allen requested this address be updated in Citizen Serve.

The commission voted to approve this Common Victualler application on a roll call vote with 3 in favor (Lynch, Allen and Thomas), 0 opposed

Existing
Common Victualler License,
Change of D/B/A

28. Visiting Nurse Communities Inc.

d/b/a Visiting Nurse Assisted Living Community

259 Lowell St.

Requesting a D/B/A change from: Visiting Nurse Assisted Living Community to: VNA Senior Living at Lowell

(ALM22-000101)

Linda Cornell president & CEO of VNA Senior Living Communities appeared for this application. Ms. Cornell stated this is for the Lowell St. facility only and agreed this is purely an administrative move.

The commission approved this D/B/A Change on a roll call vote with 3 in favor (Lynch, Allen and Thomas), 0 opposed

New – Approved 6/13/22
All Forms 7 Day Restaurant License - Assembly Row Area
Chapter 142, Acts of 2016
Common Victualler License,
Entertainment by Devices and Performers Indoors and Outdoors License,
A Sunday Hours License
And Outdoor Patio (Private) License (Assembly Row)

29. Civility Inc. d/b/a Civility Social House, 490 Foley Street requesting approval of an All Forms 7 Day Restaurant License - Assembly Row Area, a Common Victualler License, an Entertainment by Devices and Performers Indoors and Outdoors License, a Sunday Hours License and an Outdoor Patio (Private) License (Assembly Row).
Hours of Operation Indoors and Outdoors for Food and Alcohol:
Mon-Sun: 11:00am-12:00am
(AL22-000016)

**This is an Administrative Item only. This application was approved by the Licensing Commission on 6/13/22 (The AD was placed on 6/1/22). In order to comply with the 3 day abutters notice requirement, a 2nd AD was placed on 7/6/22 for the 7/18/22 Licensing Commission Meeting.*

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

Brad Dalbeck appeared for this application/administrative item. Director of Engineering Brian Postlewaite asked for clarification and if there is any outdoor seating in the public way. Commissioner Allen stated this was discussed at the last meeting and the outdoor seating was confirmed as Private by David Middleton of Federal Realty. Director Postlewaite is concerned that the parklet is on Public Property and wants to make sure that the premises is licensed appropriately. Chair Lynch recommended amending the agenda item to ensure both Public and Private Outdoor Seating. Chair Lynch also asked where the outdoor entertainment would be taking place. Mr. Dalbeck stated it would be held on Private Property only. Chair Lynch stated the license should state that the Entertainment by Devices and Performers is for outdoors for the Private Patio Only. Director Postlewaite stated he is fine with this determination of both public and private outdoor seating. Secretary Lori Batzek stated this application was received a permanent outdoor PRIVATE Seating, the ABCC does not currently recognize Parklet Seating. The commission has been recommending licensees put in an amendment for Public Parklet Seating. Chair Lynch authorized the Temporary Public Outdoor Seating for this application. Mr. Dalbeck will supply the Private Seating total and the Public Seating total to the secretary the following day.

Public Comment: none

The commission AMENDED this application from a Private Outdoor Seating License to a Permanent Private Outdoor License and a TEMPORARY Public Outdoor License on a roll call vote with 2 in favor (Lynch, Allen and Thomas), 1 recused (Lynch), 0 opposed

New
All Forms 7 Day Restaurant License – City Wide
Chapter 142, Acts of 2016
Common Victualler License,
Entertainment by Devices and Performers Indoors License,
A Sunday Hours License
And Outdoor Patio (Private) License

30. **SHG** Somerville Hotel LLC d/b/a Cambria Boston Somerville, 515 Somerville Ave. requesting approval of an All Forms 7 Day Restaurant License – City Wide, a Common Victualler License, an Entertainment by Devices and Performers Indoors License, a Sunday Hours License and an Outdoor Patio (Private) License.
Hours of Operation Indoors and Outdoors for Food: Sun.-Sat.: 6:00am-10:00pm & 5:00pm-10:00pm plus ALL DAY for Package food
Hours of Operation Indoors and Outdoors for Alcohol: Sun-Sat: 10:00am – 11:59pm
**Applicant requesting customers to be allowed to bring alcohol outside on the premises (There will be no food service outside)*
(AL22-000017)

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

Attorney Andrew Upton, Jordan Warshaw and Meredith White appeared for this application. Chair Lynch noted this establishment has been operating with a Caterers License and looks like they are now ready to open up their kitchen, bar and outdoor patio. Attorney Upton stated this is a brief and very close to accurate synopsis and hopes this is one of the last steps in the permitting process. He stated that they are most concerned about getting alcohol service and getting rid of the caterer they have had on premises as a stop gap measure. Attorney Upton expressed the character and fitness of the applicant and the need for an alcohol license at this location. He stated they are a little bit behind on the delivery of commercial food equipment due to supply chain issues. Chairman Lynch asked for clarification on “plus all day for packaged food” on the application. Attorney Upton stated there is not yet a full meal service, so a lot of the food they serve is packaged food pr-prepared provided by a Caterer or various

purveyors in the City of Somerville. Jordan Warshaw stated they are doing 3 things food wise at this time as an interim measure until they're restaurant previously came before the commission opens. They will be serving breakfast and late afternoon light snacks prepared outside the building, bought from third parties to be served to their guests. He also stated that the kitchen Attorney Upton is referring to is a kitchen that will be making breakfast for guests even after the restaurant is open and serving temporary late afternoon food for guests until the restaurant opens. They are awaiting equipment to fully open. The all-day package food is part of the program for this hotel for the so-called pantry, similar to what is seen in other hotels, with a mini market with snacks. Mr. Warshaw feels their concept is a little more interesting because they will be sourcing a lot of local, Somerville and New England made items. The idea is to serve guests who check into the hotel at 2a.m., can pick up something from the pantry, for the all-day service mentioned. Chair Lynch asked about the request for customers to be allowed to bring alcohol outside on the premises and no food service outside. Mr. Warshaw stated that they plan to serve local craft beer purchased from the pantry, once officially licensed, and customers would bring this outdoors on the patio. They will not have servers and this will not be a restaurant type of facility. Chair Lynch stated that there will be 2 distinct patio's, one for the restaurant and one for the hotel. Mr. Warshaw confirmed the large patio to the east is the restaurant's patio with dinner and drink service, the smaller patio to the west will be for the hotel guests. Commissioner Allen asked for clarification on the pantry items and the packaged foods and cans and bottles of beer. Mr. Warshaw confirmed this with wine being sold as well. Commissioner Allen asked if this would be items for checkout and then take the items back to the hotel room or sit outside on the patio or sit in the lobby and asked if this would have a dedicated seating area. Mr. Warshaw stated this would be a social lobby with various seating and most guests will take items and sit in the lobby but also be able to take items up to their rooms. Commissioner Thomas asked where the pantry will be located. Mr. Warshaw stated it will be in sort of a U Turn from the front desk, not visible from the street. Commissioner Thomas expressed concern about bringing alcohol outside on the premises without food service. Mr. Warshaw stated with the catering program that they have now, there is food out while there is alcohol out and stated they will be bringing in third party providers until they have a working kitchen. They plan to continue with this but with their license first and then with prepared food as opposed to off-premises prepared food as things move forward. The afternoon service is a stop gap until the restaurant is open, which he hopes will be open in mid-fall. Chair Lynch asked for a clarification of the address and if it is distinct and separate from the hotel. Attorney Upton stated the premises for the hotel and the premises for the restaurant are separate and distinct and according to the ABCC, even if the building has the same number for both, if the premises is described differently and the hotel premises to be licensed specifically excludes the restaurant that is already licensed, the ABCC can approve it. Attorney Upton stated he received this in writing and forwarded it to the secretary Lori Batzek. He also stated because this is confusing, they are still working on renaming the address for both sides. Director Postlewaite confirmed for the Chair that the Fire Department wants a distinction in the address, when a situation such as this arises with 2 operable units or entities that front separately to the public way, emergency services requires that each entity have a

separate address, and if there is room in the address numbers to have unique digits as opposed to a lettered suffix, A,B etc. it must be a separate digit or numeral. Chair Lynch stated this must be done and Attorney Upton stated they have spoken with all departments and the applicant and stated the fact that the restaurant, Josephine's has yet to begin their build out, they feel they have enough time to get this done. Chair Lynch expressed concerns about the food and alcohol service and a discussion followed on this matter. Mr. Warshaw stated the purchases will be made and carded by the front desk attendant who manages the pantry, directly in the line of sight and fairly close to the front desk. There will not be a separate employee for the pantry. He also states this is no different than many hotels that have pantry's that sell beer and wine, and says this is a brand standard of the Cambria Hotels and further discussed this concept. Mr. Warshaw stated they are willing to implement the patio seating at a later date if this is problematic for the commission. Chair Lynch asked if Mr. Warshaw had any examples of where they have used this before in Massachusetts. Mr. Warshaw stated there is one other Cambria in MA and he can look to see if this pantry is carrying beer and wine products. Chair Lynch stated selling beer and or wine in the pantry would be classified as a package store, if you choose to let patrons take it off premises, out to the patio by themselves without a server involved. He does not understand the intricacies of this. Attorney Upton stated the reason they are looking to license the outdoor premises is so it would be part of the entire hotel premises, therefore getting a beer served on premises in the lobby would be the same as patio and it would all be part of the on-premises Section 12 license. Chair Lynch state this would be self-serve versus a server. Attorney Upton stated he believes as a Section 12 Licensee it is within the Somerville Licensing Commissions authority to grant some form of this and does not have to be a Section 15 License. Chair Lynch requested the pantry be removed for now and further investigation be done by Mr. Warshaw or Attorney Upton to provide to the Licensing Commission an example of an approval that was given by another authority and the Chair will do an investigation with the ABCC or the clerks will do the investigation as to how to do this, without violating any rules and regulations. He also stated that he would have our clerks research our own polices, as we do not issue licenses where food is not served. Chair Lynch asked if Attorney Upton and his client would be amenable to remove the pantry from this application and concentrate on the Common Victualler, the Entertainment by Devices and Performers Indoors, Sunday Hours and Outdoor Private Patio License and if we have to amend this to include the pantry, this can be done at a later time. A discussion followed pertaining to what an on premises and off premises license entails. Attorney Upton stated the distinction between off-premises and on-premises is if you purchase off-premises alcohol at any type of retail establishment you take it off the premises and you cannot consume it there, that is not what this is. Further discussion ensued about controls for purchasing the alcohol. Mr. Warshaw stated it is very common in hotels that you get a drink in the lobby and you walk up to your room with it. He also stated the only way to buy something at the pantry is by putting it on your room charge, it is for hotel guests only. He also stated the Canopy Hotel near the TD Garden and the Avid Hotel in Revere do this kind of thing. Chair Lynch stated he is still not comfortable with the food pantry and bringing containers out to an unsupervised patio. Mr. Warshaw stated he would be alright shelving the outdoor patio for now and come

back next summer if they decide to go forward with this. Further discussion was held on this matter. Attorney Upton asked that this application be approved, send it , how to the ABCC with the condition that the license not be issued until the operator submits a plan that is satisfactory to the commission on how ID's are checked, how guests are charged, where guests can bring drinks, how the drinks are served... A discussion was held on food service with alcohol service. Further discussion was held on licensing this premises. Attorney Upton suggested approving this application now, with the condition that the license will not be issued until the applicant has satisfactorily presented a plan of service to make the pantry work. Chair Lynch stated he will do research with Boston to see how the pantry was licensed at the Boston hotel.

Move to grant SHG Somerville Hotel LLC d/b/a Cambria Boston Somerville an All Forms 7 Day Restaurant License – City Wide, a Common Victualler License, an Entertainment by Devices and Performers Indoors License, a Sunday Hours License. Hours of Operation: Sun.-Sat.: 6:00am-10:00pm plus ALL DAY for Package food Hours of Operation Indoors for Pantry Alcohol Service: Sun.-Sat.: 10:00am – 11:59pm

The license shall not be issued until the applicant comes before the Somerville Licensing Commission and receives approval for a set of policies and procedures for “pantry alcohol” service that satisfy all rules and regulations of the Somerville Licensing Commission.

Public Comment: None

The commission voted to approve this All Forms 7 Day Restaurant License, Common Victualler License, Entertainment by Devices and Performers Indoors License, A Sunday Hours License with the DELETION of the Outdoor Patio (Private) License application and the above specified condition, on a roll call vote with 3 in favor (Lynch, Allen and Thomas), 0 opposed

New
All Forms 7 Day Restaurant License – City Wide
Chapter 142, Acts of 2016
Common Victualler License,
Entertainment by Devices Indoors License,
A Sunday Hours License
And Outdoor Patio (Public Sidewalk) License

31. Lion Rock LLC d/b/a Saigon Tiger, 5 Holland St. requesting approval of an All Forms 7 Day Restaurant License – City Wide, a Common Victualler License, an Entertainment by Devices Indoors License, a Sunday Hours License and an Outdoor Patio (Public) License.

Hours of Operation Indoors for Food: Sun.-Sat.: 8:00am-12:00am
Hours of Operation Outdoors for Food: Sun.-Sat.: 8:00am-10:00pm
Hours of Operation Indoors and Outdoors for Alcohol: Sun-Sat: 11:00am – 10:00pm
*ABCC application states the address is 7 Holland St.
(AL22-000021)

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

Attorney Chris Coleman and Man Cheng appeared for this application. Chair Lynch asked for a clarification on the address. Mr. Cheng confirmed it is #7 Holland St. as stated on the lease, but he cannot change the address in Citizen Serve. The secretary will make this address correction.

Attorney Coleman stated the Hours of Operation are incorrect and should be as follows: Hours of Operation for Food & Alcohol Indoors: Sun.–Sat.: 8:00am-12:00am and Hours of Operation for Food & Alcohol Outdoors: Sun.-Sat.: 11:00am-10:00pm (Sunday Hours for alcohol service cannot be prior to 10:00am either indoors or outdoors). Attorney Colman discussed the indoor and outdoor floor plan and also stated the qualifications of the applicant.

Public Comment: None

The commission voted to approve this All Forms 7 Day Restaurant License – City Wide, Common Victualler License, Entertainment by Devices Indoors License, A Sunday Hours License and an Outdoor Patio (Public Sidewalk) License application, on a roll call vote with 3 in favor (Lynch, Allen and Thomas), 0 opposed

COMMUNICATION

32. Communication from Commissioner Allen, Commissioner Allen requests a discussion on policy for inactive licenses that are blocking license applications.

Commissioner Allen stated that the ABCC does not allow a license to be issued for an address that already has a license and the ABCC does not keep track of if a license is active or inactive, that the local licensing authority keeps track of this to the best of our ability. He also stated that there have been a couple of places they've been able to get around this via address manipulation, such as the Cambria applicant heard earlier in this meeting. He also stated this is a route other applicants can take, but it is not necessarily guaranteed. Commissioner Allen would like to discuss this as a general policy. He asked if there is anything we should be doing differently when an inactive

license is tied to an address and is blocking a new applicant who wants to utilize this space. He also stated a licensee at an address that has an inactive, "pocket license", can and may in the future, interfere with applicants who do want to take out a new license. Commissioner Allen stated he attempted to bring up this issue during the commissions last discussion of inactive licenses and would like to see if there is something that the commission can do differently, in terms of our polies or practices to work on this issue. Chair Lynch stated he believed this is a result of the pandemic and how many of our licensee's were closing due to financial hardship, but some owned private licenses that are tied to an address. Commissioner Thomas asked how long a license can be held without it being active. Chair Lynch stated both the ABCC and the Somerville Licensing Commission frown on inactive licenses whether they private or city issued. A discussion was held on the differences between these licenses and the value of a private license. Also discussed was a landlord subdividing the premises of a licensed establishment with the same address, and the process to change the address through the Fire Department and/or the Engineering Department for 2 different addresses of the premises. Chair Lynch stated earlier this year, all inactive licenses, whether private or city issued, were brought before the commission and asked what the status of this license was, or what was being done with the license. Chair Lynch also stated the commission decided during 2021, not to put any more burden on licensees during the pandemic. He also stated the commission called these inactive licensees in for a status report earlier in 2022 and the commission voted to give them 6 months for a status review before the commission at that time. Further discussion was held on how to proceed with premises that have an inactive license and the new establishment wanting to obtain an alcohol license for the premises. Commissioner Allen would like to establish a default policy for a 6 month period unless a new tenant wants an alcohol license, this would be the one scenario where things outside their control would change that timer. Chair Lynch stated Commissioner Allen is stating and existing licensee who has an address attached to his license and if somebody else wants to get an alcohol license for this premises, the commission would revoke the existing private license. Chair Lynch requested Commissioner Allen to put in writing what the dilemma is and the commission would get an interpretation from the City Solicitor's office, whether or not the commission has standing to revoke a private license, due to the fact that there is another licensee who wants an alcohol license at the same address. Commissioner Thomas and Chair Lynch agreed the commission would need to demonstrate due process and a hearing would be required prior to the license being revoked. Secretary Lori Batzek stated the licensee's were called in for hearings on April 11, 2022 and May 16, 2022 and given 6 months to provide a status update from their hearing date except for Eat at Jumbo's d/b/a Sassafras. Commissioner Allen expressed concern for a business that closed a month ago and a new tenant wants to establish a business at the premises, he is concerned from the prospective of dealing with the legal hurdles of revoking and waiting for this license to go away or the new tenant could buy the existing license and this problem would go away as a license transfer. He stated this scenario which in his opinion could become extortion. Chair Lynch stated he feels this could be wading into legal territory that he doesn't want the commission to get into. He also stated every one of our private license holders considers their private license an asset. A further discussion was held on the price of a city issued license and a private

license. Commissioner Allen restated that some would call this extortion. Chair Lynch stated due process and that the commission can't just revoke a license because someone else wants one at that address, time needs to be given for the licensee to dispose of the license, and that is how the commission proceeded at the earlier hearings for inactive licensees. Chair Lynch stated when the licensee's appear for the 6 month status update, the commission could then proceed with revoking the inactive licenses. Commissioner Allen requested a default policy of 6 months for revoking a license and feels this is reasonable. He also stated that he would like to shorten the period for revocation. Chair Lynch stated this should be included in Commissioner Allen's missive to the commission and the City Solicitor. Commissioner Allen will write a series of questions to the city solicitor, carbon copy the commission, and the responses can be discussed at the next meeting or when available. Chair Lynch suggested Commissioner Allen state on the missive that the commission would like to discuss this at the August Licensing Commission Meeting and a timely response would be appreciated. Commissioner Thomas feels this is an important policy discussion. Assistant City Clerk Bernabe Rodriguez stated Secretary Lori Batzek prepared a memo with recommendations, but it got stuck in his draft folder and he extends his apologies. Mr. Rodriguez has sent this memo to the commissioner's and it is also included in the package materials for this meeting. A discussion was held on the memo provided by Mr. Rodriguez. Chair Lynch asked Commissioner Allen to include this memo in the missive being sent to the City Solicitor and to copy the City Clerk, Assistant City Clerk and Secretary to the Commission

The Commission has continued this item to the August 15, 2022 Licensing Commission Meeting.

LATE ITEMS

SPECIAL ALCOHOL LICENSE

33. Alta Revolution, 290 Revolution Dr. requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Alta Revolution Block Party, to be held Outdoors on the street/alley on the south side of the business building at 290 Revolution Drive on August 18, 2022 from 12:00pm –4:00pm (Alcohol Service)
*Malt Only was checked on the application, but a note on the question "Describe the location(s) where alcohol will be served" indicates Beer and Cocktails (this does not appear to be a non-profit organization)
(PEL22-000109)

No one appeared for this application. The Commission voted to Deny this Special Alcohol application on a roll call vote with 3 in favor (Lynch, Allen and Thomas), 0 opposed

34. Night Shift Brewing, 87 Santilli Hwy, Everett, MA requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Owls's Nest at Assembly Row by Night Shift Brewing to be held Outdoors at 325-375 Assembly Row Daily on 8/5/22 – 9/3/22, from 11:00am –10:00pm (Alcohol Service)
**Night Shift is requesting an expansion of the licensed premises to include the adjacent green space.*
(PEL22-000117)

Mark Strauss appeared for this application. A discussion was held on monitoring the premises. This is the second year for this event and this applicant also operates 4 other daily beer gardens throughout the City of Boston. Mr. Strauss states no problems were reported last year. Federal Realty has authorized the expansion of this premises.

The Commission voted to approve this Special Alcohol application on a roll call vote with 3 in favor (Lynch, Allen and Thomas), 0 opposed

COMMUNICATIONS

35. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, July 18, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

36. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, July 19, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

37. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, July 20, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

38. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, July 21, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

39. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, July 22, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

40. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, July 23, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

41. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, July 24, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

TEMPORARY OUTDOOR SEATING

Alteration of Premises

42.

License #	Business Name	Address	Parklet	Private	Sidewalk	Heating Element
ALM22-000099	Genki Ya	246 Elm St.	X			

Genki Ya – 32 Parklet Seats

Director Postlewaite Director of Engineering, spoke on this application. This restaurant had a pre-covid license which did not meet the most recent rules established with spacing on the sidewalk at their main entrance off of Elm St. Engineering requested a revised floor plan and they have requested to reconstruct the parklet they were approved for during Covid on Chester St. with major modifications to raising it up to sidewalk level and meeting the recently enacted requirements over the winter. Director Postlewaite recommends this Temporary Outdoor Seating. No greenhouses have been proposed.

The commission voted to approve this Temporary Outdoor Public Parklet Seating License application, on a roll call vote with 3 in favor (Lynch, Allen and Thomas), 0 opposed

**City of Somerville
Licensing Commission**

**Regular Meeting by Remote Participation
Monday August 22, 2022, 6:00pm**

The meeting was called to order by Chair Lynch at 6:00pm and adjourned at 7:44pm.

Attendance:

Chair Joseph Lynch - present

Commissioner Christopher Allen – present

Commissioner Jacques Thomas, Jr. - present

Others present: Kimberly Wells - City Clerk; Bernabe Rodriguez - Assistant City Clerk; Brian Postlewaite – Director of Engineering; Tim Mitsakis - Police Lieutenant

COMMUNICATIONS

1. Minutes of the Regular Licensing Commission Meeting from 7/18/22
The minutes were approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.
2. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, July 25, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)
This item was placed on file.
3. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, July 26, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)
This item was placed on file.
4. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, July 27, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)
This item was placed on file.
5. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Thursday, July 28, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

6. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, July 29, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

7. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, July 30, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

8. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, July 31, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

9. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, August 1, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

10. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, August 2, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

11. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, August 3, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

12. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Thursday, August 4, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

13. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, August 5, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

14. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, August 6, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

15. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, August 7, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

16. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, August 8, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

17. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, August 9, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

18. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, August 10, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

19. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Thursday, August 11, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

20. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, August 12, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

21. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, August 13, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

22. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, August 14, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

23. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, August 21, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

24. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, August 22, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

25. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, August 23 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

26. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Wednesday, August 24, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

27. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, August 25, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

28. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, August 26, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

29. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, August 27, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

30. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, August 28, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

TEMPORARY OUTDOOR SEATING

Alteration of Premises

31.

License #	Business Name	Address	Parklet	Private	Sidewalk	Heating Element	Seating
ALM22-000071	Fortissimo Café	75 Bow St.	x		x		12 Parklet & 12 Sidewalk (non-contiguous)
ALM22-000102	Kongdog	235 Elm St.	x				8 Parklet
ALM22-000104	Mike's Bar	97 Washington St.		x			44 Private Patio
ALM22-000106	7ate9 Bakery	199c Highland Ave.	x				12 Parklet
ALM22-000109	Don Julio	514 Medford St.	x				12 Parklet

Director Postlewaite explained that the administration recommends approval of the application for Fortissimo Café, which is in a current parking space and would not require a raised platform. The Engineering Division has requested a traffic control barrier. Commissioner Allen asked about the abutter and Director Postlewaite noted that it is currently vacant. The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Director Postlewaite noted that Kongdog is next to Anna's Taqueria, which has requested but not yet exercised outdoor seating. The Engineering team has coordinated so there is alignment between both spaces. The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Director Postlewaite noted that the administration has no comment on the application from Mike's Bar, as this is private. The Engineering Division has worked separately with the applicant regarding an accessible parking space, and there are no concerns about this application. The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Director Postlewaite explained that the design for 7ate9 Bakery is compliant, and the administration recommends approval. He added that this location did set up parklet seating without a license and Inspectional Services and Engineering worked with them to correct that error and the applicant promptly complied with all concerns. The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Director Postlewaite clarified that since no alcohol is served at Don Julio, barriers are not required. The process to complete the permanent license would be fairly simple, and it is anticipated that the applicant will do so soon. Commissioner Thomas asked if the applicant was in communication with the studio next door. Director Postlewaite noted that the seating is taking up only one parking space, and there is a condition before license issuance. The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

SPECIAL ALCOHOL LICENSES

32. Indignant Brewing Co LLC d/b/a Winter Hill Brewing Co, 328 Broadway requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Gilman Square Neighborhood Assoc. Block Party to be held Outdoors in the Parking lot at Mad Oyster Studios, 2 Bradley St. on Saturday, September 10, 2022, from 12:00pm –7:00pm (Alcohol Service) with a Rain date of Sunday, 9/11/22 (PEL22-000123)

Bertram Holdredge appeared on behalf of the applicant. He estimated that attendance would be approximately 200. Lieutenant Mitsakis confirmed that there are no issues. Chair Lynch confirmed that all bartenders will be TIPS certified and IDs will be checked.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

33. Boston Bouldering Project d/b/a Boston Bouldering Project – Somerslam!, 12A Tyler St. requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Somerslam to be held Indoors at 12A Tyler St., in a separate room away from climbing on Saturday, September 10, 2022, from 5:00pm –9:00pm (Alcohol Service) (PEL22-000134)

Sarah Bucknam appeared on behalf of the applicant, noting that the DBA has recently changed and she will be sure to update the paperwork accordingly. Aeronaut Brewing will be providing the alcohol for the event. Chair Lynch confirmed that ID will be required.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

34. Flora’s Hospitality LLC d/b/a Flora’s Wine Bar, 1284 Washington St., West Newton requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for DLJ Real Estate Movie Night to be held Outdoors on the Lawn of Boynton Yards on Friday, September 9, 2022, from 6:30pm –9:30pm (Alcohol Service) with a Rain Date of Friday 9/16/22 (PEL22-000136)

Andrew Li appeared on behalf of the applicant. The movie screen will be set up at Boynton Yards, and there will be a designated area for alcohol service. Flora’s has a 12C Catering license, but is applying separately for a Special Alcohol license as there will be direct sales.

Commissioner Allen confirmed that there will be IDs checked at the entrance, and there will be neon orange wristbands. Chair Lynch asked how many attendees would be present, and Mr. Li estimated 50-75. Lieutenant Mitsakis confirmed that is not an issue.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

35. Warehouse XI, 11 Sanborn Ct. requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Fluff Music Event to be held Indoors at 11 Sanborn Ct. on Saturday, September 17, 2022, from 1:00pm –9:30pm (Alcohol Service) with a Rain Date of Thursday, 9/22/22 (PEL22-000138)

Peggy Morrissey appeared on behalf of the applicant, noting that the alcohol will be purchased and a bartending service would be serving and they will be TIPS certified. She anticipates a maximum of 150 attendees.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Existing

Common Victualler License

Change of D/B/A & Change of Manager

36. JSD Millionaire Inc. d/b/a Lor Tor Mor, 24 College Ave. requesting a Change of d/b/a from Kor Tor Mor to Prik Nam Pla and a Change of Manager from Jakkrit Daranuwat to Rachanee Daranuwat

CV License # AL17-000325

(ALM22-000108)

The applicant failed to appear.

Commissioner Allen moved to continue the item to the September meeting. The motion was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

NEW

Common Victualler License

37. Foody's Kitchen LLC

d/b/a Foody's Kitchen

235 Holland St.

Francillion Dabady

Seating Indoors: 16 Seats

Hours of Operation: Mon-Thu: 11:00am-10:00pm, Fri-Sat: 11:00am-11:00pm & Sun: 11:00am-9:00pm

(AL22-000025)

Francillon Dababy appeared on behalf of the applicant. He noted that it will be casual dine-in and takeout, targeting Tufts University and the surrounding area. The applicant noted that he also owns Pikliz on Broadway.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

NEW

Common Victualler License &

Entertainment by Devices - Indoors

38. Hot Tomatoes 77 Bow Street LLC

d/b/a Hot Tomatoes

77 Bow St.

Mike Tokatlyan

Seating Indoors: 46 Seats

Hours of Operation: Mon-Sat: 11:00am-9:00pm, Sun: Closed

*This applicant states they are expanding into the premises for The Greek American Social Construction Club, Inc. at 79 Bow St. (no notice of closure received for The Greek American Social Construction Club – AL17-000028, Private Club with All Forms Alcohol)

(AL22-000027)

The applicant failed to appear.

Commissioner Allen moved to continue the item to the September meeting. The motion was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

NEW

**Common Victualler License &
Permanent Public Patio on the Sidewalk**

39. La Cosecha Corp.
d/b/a La Cosecha Restaurant
85b Broadway

Manuel D. Rojas Rodriguez

Seating Indoors: 7 Seats

Seating Outdoors: 16 Seats

Hours of Operation Indoors: Mon-Thu: 6:00am-11:00pm, Fri-Sat: 11:00am-12:00am

Hours of Operation Outdoors: Mon-Sun: 10:00am-11:00pm

(AL22-000030)

Sergio Espinosa appeared on behalf of Manuel Rodriguez, noting that this is the applicant's first venture into the restaurant business. The applicant has been in touch with the Ward Councilor, who expressed support. Letters of support from the two abutters have also been submitted. There was a question about benches, and the applicant has determined that the bench can remain and will not interfere.

Chair Lynch opened the public hearing at 6:23pm. There being no speakers, Chair Lynch closed the public hearing.

Director Postlewaite explained that the Engineering Department has concerns about the outdoor seating and would recommend not approving until those concerns are addressed. The application is not suitable for an outdoor seating license at this time, primarily because the application was incomplete until this afternoon and the additional information provided today has not yet been reviewed.

Sergio Espinosa stated that the business is already open for takeout only.

Chair Lynch moved to sever the Seating Outdoors from the application. The motion was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Chair Lynch moved to approve the Seating Indoors and hours of operation as indicated. The motion was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

The applicant verified that he understands that an amendment will need to be filed for the outdoor seating.

Existing

Wine & Malt 7 Day Restaurant License

Private License

Change of Hours of Operation for:

Food Service &

Entertainment by Devices, Performers and Patrons Indoors License

40. The Center for Arts at the Armory Inc. d/b/a The Center for Arts at the Armory, 191 Highland Ave. is requesting approval for a Change in the Hours of Operation as follows:

Current Hours of Operation for Food & Alcohol Service with Entertainment: Sun–Sat. 11:00am-11:00pm per Somerville Licensing Commission Rules & Regulations

REQUESTING THE FOLLOWING CHANGES:

Sun: 10:00am–12:00pm (Café Open for Private Events Only) - Snacks only

Sun: Main Function Room (Snacks only from 11:00am–11:00pm) – NO FOOD SERVICE - Snacks only if there is an Event

Sun: 12:00pm–11:00pm (Café Open for Private Events Only) - Food Service

Mon – Wed 7:00am-11:00pm (Café) & (Main Function Room) - Food Service

Thu – Sat: 7:00am–11:00pm (Café) & (Main Function Room) - Food Service

Sun: 10:00am–11:30pm (Café Open for Private Events Only) - Entertainment

Sun: Main Function Room 10:00am–11:30pm - Entertainment

Mon – Wed 7:00am-11:30pm (Café) & (Main Function Room) - Entertainment

Thu – Sat: 7:00am–1:00am (Café) & (Main Function Room) – Entertainment

*No Changes are being made to the Alcohol Service (ALM22-000095)

Jess White appeared on behalf of the applicant.

Chair Lynch asked about when the Zoning Board of Appeals lifted the previous conditions. Stephanie Scherpf, also representing the applicant, noted that there is correspondence from the Economic Development Director stating that the conditions have been met. Assistant City Clerk Bernabe Rodriguez confirmed that this correspondence has been received by the Licensing Commission Executive Secretary.

Commissioner Allen confirmed that some type of food would be available at any time that alcohol is available. Commissioner Thomas asked if Police details were required, and they are required for anything where the event is at capacity and are requested for any event with over 150 guests, and private security is employed as well.

Chair Lynch opened the public hearing at 6:57pm. There being no speakers, Chair Lynch closed the public hearing.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

NEW

Chapter 142, Acts of 2016

CITY WIDE

7 DAY ALL FORMS ALCOHOL LICENSE,
Common Victualler, Entertainment by Devices and Performers – Indoors &
Sunday Hours

41. Lehrhaus LLC d/b/a Lehrhaus, 415 Washington St. requesting approval of a Chapter 142, Acts of 2016 City Wide 7 Day All Forms Alcohol License, a Common Victualler License, an Entertainment by Devices and Performers – Indoors License and a Sunday Hours License.

Seating Indoors – 80

Hours of Operation for Food & Alcohol Service - Indoors:

Mon-Thu: 4:30pm-12:00am, Sat: Sundown - 1am & Sun: 10am - 9pm

Hours of Operation for Food & Alcohol Service – Indoors:

Mon-Thu: 4:30pm-12:00am & Sun: 10am - 8pm, Fri-Sat: Closed

(AL22-000026)

Commissioner Allen recused himself as a direct abutter.

David Lipshutz, Naomi Levy, and Rabbi Charles Schwartz appeared on behalf of the applicant.

Attorney Lipshutz noted that there was no fixed hour of opening for Saturday, as the goal is to open at sundown for religious reasons. They have decided to remain closed on Saturdays until they can amend the application with a fixed hour.

The intent of the alternate uses would be to typically not serve food or alcohol during the alternate uses and hours. Chair Lynch noted that Special Alcohol licenses are not utilized when an Alcohol License is held. Attorney Lipshutz elaborated that those events may fall outside of normal operating hours and added that this is a 501(c)3. Rabbi Schwartz added that this is the first entity of its kind, and there is a lot of local and national excitement for the concept.

Commissioner Thomas asked about how the education component would interact with the restaurant. Rabbi Schwartz emphasized that it would be a casual environment, with no pressure to engage in learning.

Chair Lynch opened the public hearing at 7:14pm. Gordon Marx, a Bowdoin Street resident, expressed support and noted that this concept would be an asset to the community. Nicole Samuel, a Dickinson Street resident, also shared support for this unique concept. Sara Marx, also a Somerville resident, echoed support for Rabbi Schwartz and this project. There being no further speakers, Chair Lynch closed the public hearing at 7:19pm.

Commissioner Thomas encouraged the applicant to embrace the welcoming and inclusive nature of Somerville. Chair Lynch urged the applicant to work with staff regarding the hours.

The application was approved by a roll call vote of 2 in favor (Lynch, Thomas), 1 recused (Allen) and 0 opposed.

NEW

Chapter 142, Acts of 2016

ASSEMBLY ROW

7 DAY ALL FORMS ALCOHOL LICENSE,
Common Victualler, Entertainment by Devices– Indoors & Outdoors &
Outdoor Private Patio & Sunday Hours

42. Frank Assembly Row LLC d/b/a Frank, 400 Assembly Row requesting approval of a Chapter 142, Acts of 2016 Assembly Row 7 Day All Forms Alcohol License, a Common Victualler License, an Entertainment by Devices– Indoors and Outdoors License and a Sunday Hours License.

Seating Indoors – Changed from 210 to 174

Seating Outdoors – Changed from 77 to 82

Hours of Operation for Food Service - Indoors:

Sunday - Saturday 7:30am - 10:30pm – NO SUNDAY Hours listed

Hours of Operation for Alcohol Service – Indoors:

Mon-Sat: 8:00am - 10:30pm & Sun: 10:00am - 10:30pm

Hours of Operation for Food Service - Outdoors:

April - October, Sunday - Saturday 7:30am - 10:30pm

Hours of Operation for Alcohol Service – Outdoors:

April - October, Monday - Saturday 8:00am - 10:30pm; Sunday 10am - 10:30pm

(AL22-000029)

Kristen Scanlon, chef/owner Frank McClelland, and Chief Operating Officer Sasha Nisenbaum appeared on behalf of the applicant. Attorney Scanlon explained that this would be a farm to table restaurant and market with a regularly changing menu. She requested a change of hours for indoor seating to 1:00am. The market will not sell alcohol, but focus on premium provisions and coffee products. The market and restaurant will have separate entrances. The goal is to hire 90 people, with at least 60% Somerville residents. The loading dock and trash rooms are shared with the neighboring hotel and are inside. Attorney Scanlon confirmed that abutters have been notified.

The following updates will be made to the application:

- Change in indoor hours of operation from 10:30pm to 1am.
- Change in outdoor dining through November.
- Change in description to encompass the market space.

Chair Lynch confirmed that the applicant will work with the Health Division for the license for the grocery component.

Commissioner Thomas asked about accessible seating and Attorney Scanlon noted that there are 3-6 outside. Commissioner Thomas noted that at least 8 are required and encouraged more.

Chair Lynch opened the public hearing at 7:37pm. There being no speakers, Chair Lynch closed the public hearing.

Chair Lynch noted that the market hours will differ from the alcohol service hours and the license will note same.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

**City of Somerville
Licensing Commission**

Regular Meeting by Remote Participation

Monday

Regular Licensing Commission Meeting

September 19, 2022

6:00pm

Published Thursday, September 19, 2022 at 1:00pm

Posted Thursday, September 29, 2022 at 7:00pm

REVISED & POSTED WEDNESDAY, October 19, 2022 AT 10:00am

The meeting was called to order at 6:01pm. Present were Commissioners, Lynch, (chair), Allen and Thomas, Lt. Timothy Mitsakis of the Police Dept, Secretary to the Commission Lori Batzek, Assistant City Clerk, Bernabe Rodriguez, Director of Engineering, Brian Postlewaite, Members of the City Staff, Applicants, and members of the public.

The meeting adjourned at 7:47 pm

A recording of this meeting is available online

Pursuant to Chapter 107 of the Acts of 2022, 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 and local cable access government channels.

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

<https://attendee.gotowebinar.com/register/5169855720263633679>

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 licensing@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 of 8/22/22

The Commission Approved these Minutes on a roll call vote with 3 in favor (Lynch, Allen and Thomas)

2. Communication from Chair Lynch: Please refer to Chapter 180 of the Acts 2022 “An Act Relative to Equity in the Cannabis Industry”, for updated cannabis legislation.

Chair Lynch stated he has been in contact with Charlotte Leis of the Planning, Preservation & Zoning Division and she will craft something that the commission can look at. This will require discussion with the City Council to see how the Mayor and City Council would like to proceed on the Cannabis Café Licensure in the city.

The Commission made a note of this item and placed it on file

3. Communication from Chair Lynch: That the City Clerk’s Office send a reminder to all licensees of the requirement, pursuant to the *Somerville Licensing Commission Rules and Regulations Section 1.03 Posting and Signs, and Notice of Application and 1.17 Permission to Close Premises Required* that licensees notify the Somerville Licensing Commission of any significant change of hours or temporary/permanent closing of the licensees establishment.

A communication will be sent to all Licensees as a gentle reminder, per instruction by the commission.

The Commission made a note of this item and placed it on file

4. Licensing Commission requesting that the following licensee report on the use of their All-Forms License:

License #	Business Name/DBA	Address	Type	Category
AL18-000019	Eat at Jumbo’s/ Sassafra	688 Broadway	All Forms	City Held - Citywide

Mr. Grover Taylor appeared for this matter. Mr. Taylor stated the establishment is currently closed and is under agreement to be sold. He is working to destroy the marijuana lease and have a new lease issued to the buyer with the landlord. Chair Lynch asked what Mr. Taylor would like to do with his All Forms Alcohol license. Chair Lynch stated the information he has states the 2022 License renewal for the Common Victualler and All Forms Alcohol License is unpaid, and Mr. Taylor does not currently have a valid license. Mr. Taylor stated according to bank records, a check was deposited with the City of Somerville on December 7th, but has not been cashed, and this is accurate. He also stated he has a duplicate copy of the check. Mr. Taylor reiterated he submitted a check to Andrea on December 7th. Chair Lynch asked the last date the restaurant was open during 2022. Mr. Taylor stated it was last open on May 15th. Chair Lynch stated the restaurant is now closed and asked what Mr. Taylor is proposing to do with the assets of the restaurant. Mr. Taylor stated he is under agreement to sell to Ciao Pizza and Pasta out of Chelsea and intends to come into city

hall on Wednesday with Chef Marvin Cordoza, in order to do what needs to be done to move forward on this matter. Chair Lynch reminded Mr. Taylor that City Held Licenses are not transferrable, the establishment is closed and no payment has been received for these licenses and would like Mr. Taylor to understand that City Held Licenses are not transferable and are not sustainable and he cannot do anything with these licenses, Mr. Taylor can sell the assets, but not the licenses and what the commission is trying to do is come to a conclusion on this matter tonight. Chair Lynch also stated it is the commission's responsibility to make sure the liquor license, especially, goes back into the city's pool of licenses in order to reissue it to someone else. Commissioner Allen asked Mr. Taylor to confirm he made payment in December, and Mr. Taylor confirmed this. Commissioner Allen asked if he would like to submit payment now. Mr. Taylor replied if it needed to be done he would if it makes the transaction work, and stated it was a gift to him that the check hadn't cleared. Commissioner Allen asked if he would prefer to walk away from the license. Mr. Taylor stated that his preference is to ask for a week to let the new owner work through what needs to be done. Commissioner Allen stated he didn't think Mr. Taylor's license has any impact on the application of any new establishment coming into his venue. Mr. Taylor stated he believes the license is fixed to the building and this may make it easier for the new owner to apply for license. Chair Lynch stated the license will come back to the city and Mr. Taylor received 5 free months of operation without paying for the licenses. Chair Lynch stated he believes it's time to turn in the licenses and wished Mr. Taylor success in the sale of the assets of the restaurant. Mr. Taylor stated he has been through very much hardship over the last three to four years and he stated he properly paid and doesn't know where the check went and has a duplicate copy. He also stated he can't be in city hall every day and has come in twice, including a couple of days after speaking last time, and ultimately, he doesn't have a chance. A brief discussion was held on the benefit of Mr. Grover returning the licenses. Chair Lynch stated the ABCC would be watching these licenses and there would be more coming up next month and into November. Mr. Taylor asked if this could be continued until next month and Chair Lynch stated he would be very hesitant to do this. Secretary Lori Batzek reminded the commission that if there is a license already attached to this addressed premises, another alcohol license could not be issued. If Mr. Taylor is holding onto this license, the new business would not be able to apply for another license at this address. Chair Lynch stated his preference would be for the commission should revoke the Common Victualler and All Forms Alcohol Licenses. Mr. Taylor asked why his Common Victualler License would be revoked. Chair Lynch stated because he is not operating the premises, under the rules and regulations of the Somerville Licensing Commission, he was required to notify the commission when he closes his establishment. Mr. Taylor stated he would like to keep his Common Victualler License in case the deal falls through. A discussion was held on revoking the

alcohol license, keeping the common victualler license, but putting zero hours on the CV, if the deal falls through, Mr. Taylor would be required to come back to the Licensing Commission to reopen with the Common Victualler License. Secretary Lori Batzek asked if reducing the hours to zero on the Common Victualler License, would require the fee to be paid. Mr. Taylor stated he would pay the fee. Mr. Taylor asked if the alcohol license needed to be revoked or could it be turned in. Chair Lynch stated Mr. Taylor could turn in the license. Secretary Lori Batzek stated returning the license would need to be done in writing and the ABCC would be notified. Chair Lynch stated Mr. Grover needed to submit in writing that he is returning his All Forms Alcohol License by 3pm Tuesday, September 20, 2022, by email or submitted to the City Clerk's Office. The current CV license will be reduced to zero operating hours.

The Licensing Commission approved this recommendation, for Voluntarily returning the All Forms Alcohol License in writing and reducing the CV Hours to zero with payment required on a roll call vote with 3 in favor (Lynch, Allen and Thomas)

5. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, August 29, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

6. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, August 30, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

7. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, August 31, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

8. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Thursday, September 1, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

9. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, September 2, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

10. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, September 3, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

11. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, September 4, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

12. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, September 5, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

13. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, September 6, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

14. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, September 7, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

15. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, September 8, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

16. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, September 9, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

17. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, September 10, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

18. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, September 11, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

19. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, September 12, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

20. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, September 13, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

21. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, September 14, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

22. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, September 15, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

23. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, September 16, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

24. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, September 17, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

25. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Sunday, September 18, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

Special Farmer Winery License

26. House Bear Brewing LLC DBA House Bear Brewing, 25 Story Ave., Newburyport, MA requesting approval for a Special Farmer Winery License to sell Mead & Hard Cider produced by the licensee for off-premises consumption for the Somerville Winter Farmers' Market to be held **Indoors** at The Center for Arts at the Armory, 191 Highland Ave., on Saturdays', November 5, 2022 through April 8, 2023, from 9:30am-1:30pm. (SFW22-000002)

No one appeared for this application. This item was continued until the next Licensing Commission Meeting.

27. Blisspoint LLC DBA Blisspoint Meadery, 1 Fox Run Rd., Bedford, MA requesting approval for a Special Farmer Winery License to sell Mead (alcohol made from honey) produced by the licensee for off-premises consumption for the Mass Farmers' Markets – Davis Sq. to be held **Outdoors** in the Municipal Parking lot adjacent to Davis Square Plaza, 44 Day St., on Wednesdays', October 26, 2022 through November 23, 2022, from 12:00pm-6:00pm. (SFW22-000003)

Jeff Venuti appeared for this application. Mr. Venuti stated this is the 1st year for participating in Somerville and he is ServSafe Certified. He states he has participated in 5 other Farmers Markets since November of 2021, in other cities and towns, such as Billerica, Arlington, Winchester, Acton, Boxboro and Tewksbury.

The commission approved this Special Farmer Winery License on a roll call vote with 3 in favor (Lynch, Allen and Thomas)

SPECIAL ALCOHOL LICENSES

28. Benjamin Zeisberg, 44 John F. Kennedy St., Cambridge MA requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for a Cocktail/Dance/Formal to be held **Indoors** at Warehouse XI, 11 Sanborn Ct. on Saturday, October 15, 2022, from 8:30pm –11:30pm (Alcohol Service) (PEL22-000160)

Benjamin Zeisberg and Gerard Ameral appeared for this application. He stated there will be approximate 87 attendees for this undergraduate organization from Harvard, and they are planning this formal event. Chair Lynch asked where the alcohol beverages were being purchased from. Gerard Ameral of the Portuguese American Lounge d/b/a Union Tavern stated both he and his wife have been working with the Fox Club, and he staffs these events with his team, all TIPS Certified. Chair Lynch asked if the alcohol was coming from Mr. Ameral's establishment, Mr. Ameral confirmed it would be.

The commission approved this Special Alcohol License on a roll call vote with 3 in favor (Lynch, Allen and Thomas)

29. St. Anthony Parish, 12 Properzi Way requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for 60 70 80's Dance to be held **Indoors** in the Parish Hall in the Lower Church Hall, 12 Properzi Way on Saturday, October **22**, 2022, from 8:00pm –1:00am (Alcohol Service) (PEL22-000163)

No one appeared for this application.

The commission stated St. Anthony's was given one pass at a prior meeting for not appearing, but because of the timing on the application, the commission approved it. Commissioner Allen stated they were told that was a one-time approval. This item was continued until the next Licensing Commission Meeting.

Approved on 7/18/22 - 7 Day All Forms Alcohol Restaurant License

Approval of Policies and Procedures
For Alcohol Service

30. SHG Somerville Hotel LLC d/b/a Cambria Boston Somerville, 515 Somerville Ave. appearing before the commission to request approval of policies and procedures for "Pantry Alcohol" service that will satisfy Rules and Regulations of the Somerville Licensing Commission.
**7 Day All Forms Alcohol Restaurant, a Common Victualler, an Entertainment by Devices and Performers Indoors and a Sunday Hours License was approved at the Somerville Licensing Commission Meeting on 7/18/22 with this condition.*
(AL22-000017)

Attorney Andrew Upton, Jordan Warshaw, Developer and Corey Lambert, Manager of Record appeared for this application. Attorney Upton stated he believed they were on the cusp of approval of this application from the ABCC. As per the Licensing Commission's request, Attorney Upton has submitted a proposed alcohol service plan for the commissions review. He stated he believes this is a comprehensive plan for a

Section 12 Inn Holder License. Mr. Lambert has been TIPS Trained and is in the process of training the rest of the staff. Attorney Upton also stated he believes this plan is comprehensive and commensurate with other hotels that do this in the same way, and somewhat more stringent than the average hotel or Section 12 licensee. Chair Lynch stated this is a little different than what the commission normally does, but has had discussions with the ABCC, with the attorney representing Cambria, with another commissioner in the area and did a site visit at the Cambria to see how this would look. Commissioner Allen asked for some clarification on #1. Attorney Upton stated they will comply with all aspects all the laws, but there was a question as to whether a restriction could be placed on service to guests only, and because the license says to serve to Travelers and Strangers on its face, just in case anyone made a fuss, he added in that language. Commissioner Thomas had questions about the hours of service and posting signs for these rules. Attorney Upton stated they are not allowed to serve after 2am or before 8am for every Section 12 License, there is not going to be 24 hours service. He also stated they would post signage for these rules and asked if Commissioner Thomas would like just the points directly relevant to the consumer. Item #1, 2, 5 & 6 were confirmed for the signage. A discussion was held about requiring the purchase of food for alcohol service. Attorney Upton stated it is not their intent that people be forced to buy food and feels it is a best practice that food be available and that was the request of the commission at the last meeting, and gave the example of purchasing alcohol at a bar. Chair Lynch stated we have no bars in the city and asked if a Section 12 Innholders License is food availability required for guests when serving alcoholic beverages and requested the Chapter and verse for where it states food does not need to be available. Attorney Upton stated he believes if someone goes to the bar at the Holiday Inn or any section 12 licensee in the city, you could get a drink, food would be available, but they would not be told there is a mandatory food purchase required. A discussion was held about the premises and signage posting. Mr. Warshaw stated they would find a tasteful way to post signage for the rules of alcohol service. A discussion was held about payment methods for alcohol purchase. Mr. Lambert stated payment will be made by credit card or charged to the room. A discussion was held about the storage of alcohol and non-alcohol beverages. There will be one case to hold both as well as cold snacks. The camera footage is kept in house for 30 days. Chair Lynch asked if all customer facing staff will be TIPS trained, and anybody who touches alcohol for sale will be TIPS Certified. This was confirmed. Chair Lynch asked when they receive their full service all forms alcohol license for their kitchen restaurant at the Cambria, what will be done with the Pantry. Mr. Warshaw stated the Pantry will stay for the long term and is probably 70% foods and 30% beverages. A discussion was held on the local food vendors providing their service to the Pantry. Chair Lynch asked about the hours of operation and the rules for the 2a.m. closing for Innholders. Attorney Upton stated these hours are in

compliance with the rules and regulation from Section 12. Secretary Lori Batzek stated an All Forms Alcohol Restaurant License must be open for 1 year prior to applying for a 2.a.m. closing license. Mr. Warshaw agreed with a 1a.m. closing for the 1st year. Secretary Lori Batzek discussed the Hours of Operation listed on the application and were previously approved by the commission, are different than those just discussed, Sun-Sat 8a.m. to 11:59pm. A discussion was held on the date of the application and what hours were indicated. The commission authorized a change in hours to: 7 days a week from 8am-1am. Attorney Upton will submit the form for the ABCC.

Change of Hours of Operation to: Mon-Sat 8am-1am & Sun 10am-1am (the earliest hours available for opening are 10am on Sunday per Chapter 138 Section 33 & 33b)

The Commission voted to approve these Policies and Procedures for Alcohol Service for the “Pantry”, and this must be attached to the license issued, and to change The Hours of Operation approved at the previous meeting on a roll call vote with 3 in favor (Lynch, Allen and Thomas)

Existing
Common Victualler License

Change of D/B/A & Change of Manager
Continued from 8/22/22

31. JSD Millionaire Inc. d/b/a Kor Tor Mor, 24 College Ave. requesting approval for a Change of d/b/a from Kor Tor Mor to Prik Nam Pla and a Change of Manager from Jakkrit Daranuwat to Rachanee Daranuwat
CV License # AL17-000325
(ALM22-000108)

Rachanee Daranuwat appeared for this application. Ms. Daranuwat has managed a different restaurant for almost 15 years and has management experience.

The commission approved this Change of D/B/A & Change of Manager on a roll call vote with 3 in favor (Lynch, Allen and Thomas)

Existing
All Forms 7 Day Restaurant License

Private License

Entertainment by Performers and Patrons Indoors License

32. R.F. O’Sullivan’s Saloon, LLC d/b/a R.F. O’Sullivan & Son, 282 Beacon St. requesting approval for an Entertainment by Performers and Patrons Indoors License
License # AL20-000018
(ALM22-000110)

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

At the applicant’s request, this item will be placed on the October 17, 2022 Licensing Commission Meeting (email received 9/19/22)

Existing

Common Victualler, Entertainment by Devices Indoors and Outdoors License

PRIVATE PATIO LICENSE

33. Life Alive Café LLC d/b/a Life Alive Organic Café, 40 Holland St. requesting approval for a Private Patio License.
Hours of Operation for Outdoor Private Patio: Mon-Sun: 7:00am-9:00pm (AL22-000007)
Seating Outdoors: 40 Seats
Please note: The original application requested and was approved on 5/16/22 for Outdoor Seating prior to the new Somerville Licensing Commission Rules and Regulations for Outdoor Seating. The applicant was requested to submit an amendment application for the Outdoor Seating, to adhere to the new rules and regulations in place.
(ALM22-000113)

Daniel Brennan, manages the permits for Life Alive Café, appeared for this application. The Outdoor Seating regulations have changed since the original license was approved. Brian Postlewaite spoke on this application. He recommended approval. He also noted there is no seating on the public sidewalk, but there is a private sidewalk under the structure of the premises, and they do have seating there (however this is located on Private Property). Mr. Postlewaite stated there is sufficient access on the public sidewalk for pedestrian travel. He also stated this will not impede upon the MBTA’s property rights. He also confirmed that they have ADA compliant seating and a variety of location and finds these acceptable.

The commission approved this Permanent Outdoor Private Patio License on a roll call vote with 3 in favor (Lynch, Allen and Thomas)

NEW
Common Victualler License &
Entertainment by Devices – Indoors License

Continued from 8/22/22

34. Hot Tomatoes 77 Bow Street LLC

d/b/a Hot Tomatoes

77 Bow St.

Mike Tokatlyan

Seating Indoors: 46 Seats

Hours of Operation: Mon-Sat: 11:00am-9:00pm, Sun: Closed

*This applicant states they are expanding into the premises for The Greek American Social Construction Club, Inc. at 79 Bow St. (no notice of closure received for The Greek American Social Construction Club – AL17-000028, Private Club with All Forms Alcohol)

(AL22-000027)

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

No one appeared for this application. The Secretary was instructed to send the applicant a written notice from the Licensing Commission stating if they do not appear at the October meeting, the application will be denied and they will be required to reapply.

This item was continued until the next Licensing Commission Meeting.

NEW
Common Victualler License,
Entertainment by Devices – Indoors License &
Outdoor Private Patio Seating License

35. Clover Fast Food Inc.

d/b/a Clover Food Lab

303 Foley St.

Ayr Muir

Seating Indoors: 57 Seats

Seating Outdoors: 10 Seats - **updated**

Hours of Operation Indoors and Outdoors: 7:00am-8:00pm

(AL22-000033)

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

*Julia Wrin Piper, Chief Operating Officer appeared for this application. Ms Piper stated this is a Boston based fast casual business established in 2008. It's primarily locally sourced ingredients supporting all of Massachusetts farms, serving all vegetarian cuisine. Businesses are primarily located in Boston, Cambridge and Newtonville, Somerville will be their 15th location. A new floor plan was submitted to comply with ADA regulations. The indoor entertainment device will be hardwired for indoor use only. Brian Postlewaite spoke on this application. He confirmed this is sidewalk Seating on a **PUBLIC** way, and the A Frame sign needs to go through a separate licensing process through the Clerk's Office and is not licensed through the Licensing Commission. He recommended approval after these 2 items are addressed. Ms. Wrin stated she has already applied for the A Frame Sign.*

Public Comments: None

*The commission approved this Common Victualler, Entertainment by Devices – Indoors and Outdoor **PUBLIC PATIO** License, after the change of Private to Public Patio on a roll call vote with 3 in favor (Lynch, Allen and Thomas)*

TRANSFER

All Forms Package Store License & Pledge of License

36. Fernandez Brothers Liquors V, Inc. d/b/a Fernandez Brothers Liquors, 152 Boston Ave. requesting approval for the Transfer of an All Forms Alcohol Package Store License from Majota Inc. d/b/a Crowley's, 152a Boston Ave. to Fernandez Brothers Liquors V, Inc. d/b/a Fernandez Brother Liquors, 152 Boston Ave. and a Pledge of License to TD Bank N.A.

Hours of Operation: Mon-Sat: 8:00am-11:00pm, Sun: 10:00am-11:00pm

(AL22-000032)

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

Attorney Jen Allen, Ramon Nunez and Ygnacio Fernandez appeared for this application. Mr. Fernandez will be the manager and has been in the package store business for over 15 years at multiple locations and is very knowledgeable about the ABCC and Somerville Licensing Commission Rules and Regulations. He is TIPS Certified, a US Citizen and a Massachusetts resident. The same hours of operation will be kept in place. Secretary Lori Batzek stated the pledge is unsigned. Attorney Allen stated she would send the signed document after the closing because the pledge of license will not be signed until after the closing date. Commissioner Allen asked if there have been any citations issued from the ABCC or local licensing authorities for any of their licensed premises. Attorney Allen stated there have been none. Chair Lynch asked why there are 2 different addresses listed on the transfer application. Attorney Allen stated the address was supplied by the property owner. Chair Lynch requested the secretary to change the address on the applications. The secretary will confer with Attorney Allen to change the address on both applications.

Chair Lynch requested Attorney Allen to reach out to the correct Ward 5 City Councilor, Attorney Allen stated she believed this area was Ward 7. Attorney Allen stated she had mistakenly sent out an email to Ward 7 Councilor Judy. Chair Lynch stated the correct Councilor for Ward 5 is Councilor Beatriz Gomez Mouakad. Attorney Allen stated she would reach out to Councilor Gomez Mouakad immediately.

Public Comments: None

The commission approved this All Forms Package Store License (the Pledge of License will not be complete because it is based on a condition of approval from this board), after the change of Address is made from 152 to 152a Boston Ave., on a roll call vote with 3 in favor (Lynch, Allen and Thomas)

LATE ITEMS

SPECIAL ALCOHOL LICENSES

37. The Elizabeth Peabody House, 275-277 Broadway requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for a Elizabeth Peabody House 2022 Fall Festival to be held at The Elizabeth Peabody House,

275-277 Broadway Indoors and Outdoors on Saturday, October 22, 2022, from 2:00pm – 6:00pm (Alcohol Service)
(PEL22-000164)

Katie Aucella appeared for this application. Ms. Aucella stated they have been hosting fall fundraising events for the last few years except for 2020. This is a combination fundraising event as well as a community event with a block party theme. They will be holding activities and events and they will be blocking off the parking lot in front of the building. Events will also take place inside the building and in the privately owned space in the back of the building. There will be live music, a cornhole tournament, crafts for children and possibly a bouncy house. Beer and food will be sold by the Winterhill Brewing Company and Storm Along Cider will provide tastings for a ticketed event. Approximately 75 people will attend at any one time in various spaces. This is a first-time event on public property and selling alcohol. Ms. Aucella stated she appeared before the commission last year for a wine tasting event which was donated wine for a ticketed event. All Winterhill Brewing staff and the representative from Storm Along will be TIPS Certified and wristbands will be used. Ms. Aucella also requested a change in hours from 1:00pm–5:00pm. Chair Lynch asked if the parking lot is a municipal parking lot. Ms. Aucella stated it is and she is working on getting a permit for the parking lot. Chair Lynch stated this is a permit process not done through the Licensing Commission, but will be required to block off this parking lot.

The commission approved this Special Alcohol License with the condition to Change the hours of Alcohol Service from 1:00PM–5:00PM and to receive approval for a permit for blocking the municipal parking lot, on a roll call vote with 3 in favor (Lynch, Allen and Thomas)

COMMUNICATIONS

38. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, September 19, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

39. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Tuesday, September 20, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

40. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, September 21, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

41. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, September 22, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

42. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, September 23, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

43. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 24 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, September 24, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

44. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, September 25, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

45. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, September 26, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

**City of Somerville
Licensing Commission**

Regular Meeting by Remote Participation

**Monday
Regular Licensing Commission Meeting Minutes
For October 17, 2022
Posted October 27, 2022 at 6:00pm**

NOTICE: This is NOT the official version of the Licensing Commission's Minutes. While reasonable efforts have been made to assure the accuracy of the data provided, do not rely on this information without first checking with the Secretary to the Licensing Commission.

A recording of this meeting is available online

MINUTES

The meeting was called to order by Chair Lynch at 6:04pm

Attendance:

Chair Joseph Lynch – present

Commissioner Christopher Allen – present

Commissioner Jacques Thomas, Jr. – present

Others present: Bernabe Rodriguez – Assistant City Clerk; Lori Jean Batzek – Secretary to the Commission; Timothy Mitsakis – Police Lieutenant; Dennis Sullivan – Fire Captain and Applicants

COMMUNICATIONS

1. Minutes of the Regular Licensing Commission Meeting of 9/19/22
The commission instructed the secretary to make corrections on #4 and #37.
The minutes were approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.
2. Communication from Chair Lynch: That the SLC discuss the Licensing Commission fees associated with Adult Use Recreational Marijuana. (application fee and renewal fee). The commission stated the City Council is presently in discussion and will hopefully take a vote later this month, to extend the application grace period for empowerment

applicants. The commission has chosen to continue this matter until after the extension is approved.

The commission voted to continue this item until the January 23, 2023 Licensing Commission Meeting by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

3. Communication from Chair Lynch: That the City Clerk’s office send a reminder notice, by November 10, 2022, to all relevant licensees that the 2022 Somerville Outdoor Dining Program will end on November 30, 2022. All licensees are reminded that their street/sidewalk furniture and accessories must be removed from the public way by midnight on November 30, 2022.

Bernabe Rodriguez, Assistant City Clerk and Lori Batzek, Secretary made a note of this reminder.

The Commission made a note on this matter.

4. Licensing Commission Requesting a 6-month status report on the use of their All-Forms Alcohol License:

License #	Business Name	Address	License Type	Category
AL17-000321	East End Grill	118 Broadway	All Forms	Private
AL17-000047	Bull McCabe’s	366A Somerville Ave	All Forms	Private
AL17-000035	The Dark Horse Public House	499 Broadway	All Forms	Private
AL17-000027	Nucleo Sportinguista Inc.	282 Mcgrath Hwy	All Forms	Private- Club

These licensees appeared in April of 2022

East End Grill – Stephen Bandar appeared for this status report. Secretary Lori Batzek confirmed that this restaurant closed in October 2016 and this information was derived from the Restaurant closing and Openings list. Mr. Bandar stated they are working on selling this license and has been working with a broker and individuals as well. Chair Lynch stated the commission would need something in writing showing this license is being sold by the January meeting or the Commission would be forced to revoke the license. Mr. Bandar understands this.

The commission voted to continue this matter until January 23, 2022 by a roll call vote of 2 in favor (Lynch, Thomas) 1 absent (Allen), and 0 opposed.

Bull McCabe's – Brian Manning appeared for this status report. Mr. Manning stated in April he had a confirmed buyer who put a deposit down for this license, but the buyer did not understand he needed a location for the license first, and he has since been looking for one. An update was recently provided to Mr. Manning, and the buyer stated that his attorney had been in touch with both Mr. Manning and the city, but Mr. Manning stated he had not been in touch with the attorney. Mr. Manning stated the buyer is in the hopes of signing a lease, but this has not happened yet. Mr. Manning will not be renewing this license, and he apprised the buyer of this. A conversation was held on how the commission should proceed and what would happen to the license if returned to the city. Mr. Manning stated that the city issuing free licenses has decreased the value of privately owned licenses. Chair Lynch wished to make clear, that continuing this item until January 23, 2023, Mr. Manning would either have a Purchase and Sale Agreement and a buyer with a Somerville location, or the license would be returned to the city.

The Commission voted to continue this matter until January 23, 2022 by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

The Dark Horse Public House - Patrick Grace and Deborah Zammuto of Premier Restaurant Group appeared for this status report. Ms. Zammuto states they have drawn up a P&S and she is in the middle of signing a lease for a new location. Mr. Grace stated they are in negotiations at the moment for this license and hopes to have the paperwork into the city by the beginning of November.

The Commission voted to continue this matter until January 23, 2022 by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Nucleo Sportinguista – Paulo Bizarria appeared for this status report. Mr. Bizarria has been looking for a new location but has had a difficult time and limited funds available. If he is unable to find a new location, the license would need to be sold. Chair Lynch recommended Mr. Bizarria obtain a broker to sell the license. Chair Lynch stated when Mr. Bizarria comes back in 3 months that he either has a sale agreement from a buyer or he has a new location for his license.

The Commission voted to continue this matter until January 23, 2022 by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

5. Somerville Police Department conveying a report on 2Am Closing Establishments.

Lt. Mitsakis appeared for this report. Secretary Lori Batzek forwarded this report to Commissioners Allen & Thomas. Chair Lynch stated some of the service calls on the reports are linked to the address and not necessarily to the particular establishment. For most of these calls the parties were advised and a report was not filed. Lt. Mitsakis stated the Police Department has no problem administratively approving these renewals.

6. Administrative approval of 2AM Closing License Renewals

2AM Closing Renewals

<u>Date Approved</u>	<u>Business Name</u>	<u>Address</u>
	The Holiday Inn	30 Washington St
9/29/05	The Independent	75 Union Square
12/21/05	Casey's	171 Broadway
9/29/05	P J Ryan's	239-241 Holland Street
9/29/05	Vera's (Formerly Brass Union)	70 Union Square
4/26/06	Olde Magoun Saloon	518 Medford Street
03/19/12	Foundry on Elm	255 Elm St
2/26/07	The Burren	247 Elm Street
8/27/07	Fasika	145-147 Broadway
11/15/10	Trina's Starlite Lounge	3 Beacon St.
6/16/14	El Potro	61 Union Sq.
2/22/16	Earl's Kitchen & Bar	698 Assembly Row #102
11/18/19	La Posada Restaurant	505 Medford St

The Commission voted Renew ALL of these 2AM Closing Licenses by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

7. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, September 27, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

8. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, September 28, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

9. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, September 29, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

10. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, September 30, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

11. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, October 1, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

12. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, October 2, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

13. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, October 5, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

14. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, October 6, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

15. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, October 7, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

16. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, October 8, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

17. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, October 9, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

18. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, October 10, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

19. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, October 11, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

20. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, October 12, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

21. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, October 13, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

22. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, October 14, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

23. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, October 15, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

24. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, October 16, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

25. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, October 17, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

26. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, October 18, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

27. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, October 19, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

Special Farmer Winery License
Continued from 9/19/22

28. House Bear Brewing LLC d/b/a House Bear Brewing, 25 Story Ave., Newburyport, MA requesting approval for a Special Farmer Winery License to sell Mead & Hard Cider produced by the licensee for off-premises consumption for the Somerville Winter Farmers' Market to be held Indoors at The Center for Arts at the Armory, 191 Highland Ave., on Saturdays', November 5, 2022 through April 8, 2023, from 9:30am-1:30pm. (SFW22-000002)

Continued from 9/19/22

Carl Hirshfeld appeared on behalf of the applicant. This is the 4th year at the Arts at the Armory. All Staff are certified.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Special Farmer Winery License

29. Blisspoint LLC d/b/a Blisspoint Meadery, 1 Fox Run Rd., Bedford, MA requesting approval for a Special Farmer Winery License to sell Mead (alcohol made from honey) produced by the licensee for off-premises consumption for the Somerville Winter Farmers' Market to be held Indoors at The Center for Arts at the Armory, 191 Highland Ave., on Saturdays', November 5, 2022 through April 8, 2023, from 9:30am-1:30pm. (SFW22-000004)

Jeff Venuti appeared on behalf of the applicant. All staff are Serv Safe Certified.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

30. 1634 Meadery LLC, 3 Short St., Ipswich, MA requesting approval for a Special Farmer Winery License to sell Mead (alcohol made from honey) produced by the licensee for off-premises consumption for the Somerville Winter Farmers' Market to be held Indoors at The Center for Arts at the Armory, 191 Highland Ave., on Saturdays', November 5, 2022 through April 8, 2023, from 9:30am-1:30pm. (SFW22-000005)

Dan Clapp appeared on behalf of the applicant. This will be their 8th season for an indoor market. All staff are TIP's Certified.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

SPECIAL ALCOHOL LICENSES
Continued from 9/19/22

31. St. Anthony Parish, 12 Properzi Way requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for 60 70 80's Dance to be held Indoors in the Parish Hall in the Lower Church Hall, 12 Properzi Way on Saturday, October 22, 2022, from 8:00pm –1:00am (Alcohol Service)

(PEL22-000163)

Continued from 9/19/22

Rafael Alves appeared on behalf of the applicant. Approximately 250-300 attendee's and a police detail has been booked. Chair Lynch recommended Mr. Alves check with the Secretary for approved Alcohol Vendors for the alcohol purchase. Wristbands will be used.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

32. Cuisine en Locale d/b/a ONCE, requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for ONCE at Boynton Yards Present Octoberfest and Holiday Stroll to be held Outdoors at Boynton Yards, Octoberfest: Converted shipping container on verge in parking lot & Holiday Stroll: Wooden Bar in Tent, Constructed on Site, 0 Windsor Pl. on Saturday, October 22, 2022 and December 10, 2022 from 10:00am –8:00pm (Alcohol Service) with Rain dates of Sunday, 10/23/22 & 12/11/22

(PEL22-000161)

JJ Gonson appeared on behalf of the applicant. The first event is being held at 0 Windsor place in the same parking lot as the summer events have been held, in the converted shipping container for alcohol service, on the rocky strip of gravel next to the parking lot. This is ADA complaint. The second event is being held on the lawn in front of 101 South St., in the tent with a built wooden bar/table. Wristbands will be used. No incidents have taken place during any previous events and all staff is TIP's Certified. An average of 250-300 people have attended these events. No police detail has been required, however Ms. Gonson states they have security.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Existing

All Forms 7 Day Restaurant License

Private License

Entertainment by Performers and Patrons Indoors License

Continued from 9/19/22

33. R.F. O’Sullivan’s Saloon, LLC d/b/a R.F. O’Sullivan & Son, 282 Beacon St. requesting approval for an Entertainment by Performers and Patrons Indoors License
License # AL20-000018
(ALM22-000110)
Continued from 9/19/22

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

Withdrawn by email received on 10/15/22

Existing
All Forms 7 Day Restaurant License
City License

Entertainment by Patrons Indoors and by Performers Indoors and Outdoors

34. Rincon Mexicano, 99 Broadway requesting approval for an Entertainment by Patrons Indoors and by Performers Indoors and Outdoors License
License # AL17-000202
(ALM22-000107)

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

Yvette and Lorenzo Reyes appeared on behalf of the applicant. This restaurant has been at this location for 8 ½ years. Karaoke will be held indoors and a Mariachi band will perform indoors and outdoors with no amplification. Chair Lynch recommended being mindful of the noise ordinance in the city. Councilor McLaughlin is in support of this application.

No members of the public chose to be heard.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Existing
All Forms 7 Day Restaurant License
City License

2AM Closing License (Friday’s and Saturday’s)

35. Premier Restaurant Group LLC d/b/a Premier on Broadway, 519 Broadway requesting approval of a 2AM Closing license on Friday's and Saturday's
License # AL19-000012
(ALM22-000115)

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

Debbie Zammuto appeared on behalf of the applicant. Ms. Zammuto stated the date of the approval for the license is October 5, 2021. Chair Lynch stated after a year, they qualify for a 2AM Closing License. Ms. Zammuto stated there have been no issues or problems with any city departments or state commissions since opening. Chair Lynch stated Councilor Gomez Mouakad has no issues with this application.

No members of the public chose to be heard.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

NEW
Common Victualler License &
Entertainment by Devices – Indoors License
Continued from 8/22/22 &
Continued from 9/19/22

36. Hot Tomatoes 77 Bow Street LLC

d/b/a Hot Tomatoes

77 Bow St.

Mike Tokatlyan

Seating Indoors: 46 Seats

Hours of Operation: Mon-Sat: 11:00am-9:00pm, Sun: Closed

*This applicant states they are expanding into the premises for The Greek American Social Construction Club, Inc. at 79 Bow St. (no notice of closure received for The Greek American Social Construction Club – AL17-000028, Private Club with All Forms Alcohol)

(AL22-000027)

Continued from 8/22/22 & 9/19/22

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

Mike Tokatlyan appeared on behalf of the applicant. Mr. Tokatlyan has been a Somerville resident for about 3 years. This will be an upscale pizza restaurant with soups, salads and beverages. No alcohol will be served and no live music. Chair Lynch asked about the expansion plans. Mr. Tokatlyan stated the building owner may sell or give them the alcohol license from the Greek Club next door, but this is currently on hold. Commissioner Thomas asked if they will have delivery. Mr. Tokatlyan stated he

may use Uber Eats, and may also look into 15 minute parking spaces in front of the establishment. The floor plan will be ADA compliant.

Michael Robes spoke in support of this applicant, for the public choosing to be heard.

The application was approved by a roll call vote of 2 in favor (Lynch, Thomas) 1 absent (Allen), and 0 opposed.

NEW
Common Victualler License

37. NGN Partners LLC

d/b/a Gong Cha Somerville

414 Highland Ave.

Steve Nguyen

Seating Indoors: 23 Seats

Hours of Operation: Sun-Sat:

(AL22-000035)

Steve Nguyen appeared on behalf of the applicant. This is a global franchise. Mr. Nguyen stated they are looking to serve bubble tea. He also stated the hours of operation are daily from 11am to 9pm. This used to be a pizza establishment. Mr. Nguyen doesn't have a lot of experience in the food industry but has managers who have worked in the industry and they are collaborating on this establishment. The premises needs substantial renovations. The floor plan is ADA compliant.

Chair Lynch requested the secretary update the hours of operation for 7 days a week from 11am-9pm.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

NEW
FARMERS POURING LICENSE,
Transformative Area
Common Victualler, Entertainment by Devices, Performers & Patrons – Indoors & Outdoors, Outdoor Private Patio and a Sunday Hours License

38. Portico South Street LLC d/b/a Portico Somerville, 101 South St. requesting approval for a Farmers Pouring License, a Common Victualler License, an Entertainment by Devices,

Performers & Patrons License (all) Indoors & Outdoors, an Outdoor Private Patio and a Sunday Hours License

Hours of Operation for Food Service Indoors & Outdoors on Private Patio:

Mon-Sun: 7:00am-12:00am

Hours of Operation for Alcohol Service Indoors & Outdoors on Private Patio: Mon-Sun: 10:00am-12:00am

Seating Indoors: 92 Seats

Seating Outdoors: 36 Seats

(AL22-000028)

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

Alex Rabe, Alex Zielke and Ian Chester appeared on behalf of the applicant. Both Mr. Rabe & Mr. Zielke are long time Somerville residents. They have been operating a contract Brewing business out of their home offices for about 10 years through a wholesale distributor throughout the state. They plan to brew craft beers and alcoholic and non-alcoholic seltzers to be served on tap. They have partnered with Brado Brewhouse and Kitchen to operate their kitchen as a long-term pop-up as they do for Lamplighter and some of Nightshift's spots. All staff will be TIPS Certified, and Mr. Chester is SERV SAFE Certified. The floor plans are ADA compliant both indoors and outdoors. Live music will be indoors and outdoors. Outdoors music will be mostly acoustic. Councilor Scott has expressed support of this application.

No members of the public chose to be heard.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

LATE ITEMS

Approved Retail Adult Use Marijuana License

AMENDMENT

Change of Ownership & Last Name Change, a Change of Control and a Change of D/B/A

1. The Harvest Club LLC, 255 Elm St. requesting approval for a Change of Ownership (& Last Name Change), A Change in Control and a Change in D/B/A to The Goods. Approved by the Licensing Commission on 1/25/21 (ME20-000006)

Ownership, Name and Control Change (as approved by the Somerville Licensing Commission) from:

Christopher Vining – 50% ownership & control

Alexander Coon – 50% ownership & control

Ownership, Name and Control Change to:

(Ownership as reviewed and approved by the CCC):

Christopher Vining – 28.05% ownership & 25% control

Alexander Degroot (Formerly Alexander Coon) – 22.95% ownership & 25% control

Paul Fireman (Chatham Road LLC) – 29.82% ownership & 0% control

Marc Fireman - 0% ownership & 25% control

Frank Schillace (Somerville 255, LLC) – 10.65% ownership & 25% control

Additional Owners – 8.53 ownership & 0% control

**Alexander Degroot previously known as Alexander Coon has had a legal name change.*

A Change in D/B/A to: The Goods

Chris Vining and Peter D’Agostino appeared on behalf of the applicant. A brief explanation was supplied for this amendment. These changes have been approved by the CCC. Chair Lynch asked if the background check was done under the name change. Mr. D’Agostino confirmed that both names, for Alexander Degroot, formerly Alexander Coon, were vetted by the CCC. The commission was satisfied with the documents the applicant has supplied for these changes. A discussion followed about ownership and control of the business. Mr. Vining expects the final license inspection by the CCC within the next couple of weeks. Chair Lynch requested that the applicant notify the Licensing Commission upon receiving their commencement operations letter. This was agreed on. Chair Lynch requested these changes be made to the application. Once the commission receives the commencement letter, the Licensing Commission License can then be issued administratively.

The application was approved by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

The Commission voted to adjourn this meeting at 8:13pm, by a roll call vote of 2 in favor (Lynch, Thomas), 1 absent (Allen), and 0 opposed.

**City of Somerville
Licensing Commission**

Regular Meeting by Remote Participation

**Monday
Regular Licensing Commission Meeting
November 21, 2022
6:00pm**

NOTICE: This is NOT the official version of the Licensing Commission’s Minutes. While reasonable efforts have been made to assure the accuracy of the data provided, do not rely on this information without first checking with the Secretary to the Licensing Commission.

MINUTES

The meeting was called to order by Chair Lynch at 6:03pm

Attendance:

Chair Joseph Lynch – present

Commissioner Christopher Allen – present

Commissioner Jacques Thomas, Jr. – present

Others present: Bernabe Rodriguez – Assistant City Clerk; Lori Jean Batzek – Secretary to the Commission; Timothy Mitsakis – Police Lieutenant; Dennis Sullivan – Fire Captain, Brian Postlewaite - Director of Engineering

COMMUNICATIONS

1. Minutes of the Regular Licensing Commission Meeting of 10/17/22

The Commission approved the minutes by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

2023 License Renewals

2. 2023 License Renewals
Requesting Approval for all 2023 License renewal

The Commission approved the 2023 License Renewals by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

3. Communication from Chair Lynch: That the SLC discuss an amendment to the Licensing Commission Rules and Regulations to comply with the ABCC Advisory:

Somerville Licensing Commission Rules and Regulations:

1.08. Alcoholic Beverages Sales and Laws

(i). Whoever makes a sale or delivery of any alcoholic beverages or alcohol to any person under twenty-one years of age, either for his own use or for the use of his parent or any other person, or whoever, being a patron of an establishment licensed under section 12 or 15 of General Laws Chapter 138 delivers or procures to be delivered in any public room or area of such establishment any such beverages or alcohol to or for use of a person who he knows or has reason to believe to be under twenty-one years of age or whoever procures any such beverages or alcohol for a person under twenty-one years of age in any establishment licensed under section 12, or procures any such beverage or alcohol for a person under twenty-one years of age who is not his child, ward or spouse in any establishment that is a package store, shall be subject to disciplinary action by the Licensing Commission.

ABCC Advisory issued 9/4/22:

On July 30, 2012, the Governor approved Chapter 170 of the Acts of 2012 that amended M.G.L. c.138, §34B1. As a result, beginning October 29, 2012, alcoholic beverages licensees may reasonably rely on the following forms of identification for proof of age:

1. A Massachusetts Driver's License;
2. A Massachusetts Liquor Identification Card;
3. A Massachusetts Identification Card;
4. A Passport Issued by the United States or a government that is officially recognized by the United States;
5. A Passport Card for a Passport issued by the United States; and
6. A Military Identification Card.

Commissioner Allen moved to amend Section 1.08.k. of the Rules and Regulations by inserting "or passport card" after "or a valid passport".

The motion was approved on a roll call vote with 3 in favor (Lynch, Allen and Thomas) and 0 opposed.

4. City Clerk conveying an amendment to the Code of Ordinances, section 2-221, extending the period for priority applications for marijuana retailer licenses.

Chair Lynch stated that in order to give priority applicants more time, because of the COVID pandemic, the City Council has taken the Licensing Commission's recommendation to extend this for one more year.

The Commission made a note of this item and placed it on file.

5. Communication from the City Clerk conveying proposed changes to the Rules and Regulations of the Licensing Commission based upon the administration's Outdoor Seating Proposal: 1.18 Extension of Premises to Patio and Outdoor Area's:

h. The permit for service of alcoholic beverages at outdoor seating will be seasonal, from April 1st through no later than November 30th. All tables, chairs and accessories used in the outdoor seating area must be removed during all other time periods. The dates of use for each establishment may be reviewed and reduced by the Licensing Commission for any reason.

i. Any violation of these rules and regulations may result in fines, suspension and revocation of the license, and other punitive actions as determined by the Licensing Commission.

j. Licenses are not transferable.

k. For Public Street Seating only:

(1) Licensee shall provide & maintain trash receptacle and/or provide bussing service during all hours of operation.

(2) Licensee shall post a conspicuous sign requiring patrons to not rearrange seating or relocate seating into the sidewalk or other *accessible* walks, routes, ramps or aisles.

(3) Licensee's operation in the licensed area may not begin earlier than 6:00 AM and may not extend beyond Midnight (12:00AM), inclusive of time to setup, breakdown and clean the area. Operation must not exceed the hours of the master license.

(4) Licensed areas in the public street shall only be authorized from April 1 to November 30. All seats, tables, barriers, signs, stands, etc. shall be removed from the public street by December 1.

(5) Parklet Seating shall include reflective tape or reflective markers to the traffic facing sides of the Parklet structure or railings.

(6) Parklet Seating platforms and other temporary structures shall include removable sections to access all utility manholes and access structures. Licensee shall remove sections when requested by City. At least 24 hours verbal notice will be provided. Emergencies may require shorter or immediate notification.

(7) Parklet Seating platforms and other temporary structures shall maintain a clear drainage path beneath the structure. Licensee shall clean beneath the structures on a monthly basis to clear debris and blockages from the drainage path.

l. For Dog Areas only:

(1) Licensees shall prohibit animals, except service animals, from all outdoor seating areas unless their license explicitly allows dogs in such areas.

(2) Licensees with a license that allows dogs shall ensure that every dog in the outdoor seating area is licensed and leashed, shall prohibit employees from touching or handling dogs, and shall provide bowls of water for the sole use of dogs.

(3) Licensees with a license that allows dogs shall post a conspicuous sign to designate the outdoor dog area, and to prohibit dogs from sitting or standing on any furniture and from eating anything, including scraps, from plates, drinkware, or utensils. Dogs may not be seated on the laps of patrons at any time.

Brian Postlewaite, Director of Engineering spoke on this matter. He stated he sees only one major difference with what was discussed last winter for Temporary Outdoor Seating. New Section h states that the permit for service of alcoholic beverages at outdoor seating will be seasonal and this is outside the section for public street seating only. Mr. Postlewaite states his understanding of this is even outdoor seating on private property would be restricted to April 1st to November 30th and would not be permitted to do winter operations. He asked if this is the intention of the Commission. Chair Lynch stated the intention of this change to the rules and regulations for the opening date and closing date is for public property only. On private property the outdoor seating is allowed year-round with the appropriate department sign offs. Commissioners Allen and Thomas expressed concerns for safety issues on the public way, such as snow removal. Chair Lynch stated the Licensing Commission no longer needs authorization to order removal of outdoor furniture off the street in the event of an emergency and would leave this matter to Fire, Police, Emergency Services, DPW and Inspectional Services. Director Postlewaite believes the dates are covered under section k. (4) #4 and there is no need for section h. Commissioner Allen proposed new language for this item. He will send that language to the City Clerk’s Office for review with Director Postlewaite.

The Commission continued this item until the January 23, 2022

- 6. 2023 Proposed Somerville Licensing Commission Meeting Schedule
Requesting Commission Approval for the Proposed 2023 Licensing Commission Meeting Schedule
Commissioner Allen stated he will be unable to attend the January 23, 2023 Meeting.

The Commission approved the 2023 Licensing Commission Meeting Schedule by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

- 7. Licensing Commission requesting that the following licensee report on the use of their Wine and Malt Package Store License.

License #	Business Name/DBA	Address	Type	Category
AL20-000017	Top Shelf at Assembly	365 CANAL ST	Wine & Malt - PACKAGE STORE	Private

Continued to May 15, 2023

Chair Lynch has continued this item via email, until the May 15, 2023, with a written status report required by March 20, 2023.

8. Licensing Commission Requesting a 6-month status report on the use of their All-Forms Alcohol License:

License #	Business Name/DBA	Address	Type	Category
AL17-000069	Bergamot restaurantsgarcia	118 BEACON ST	All Forms	Private

In an email from the licensee on November 14, 2022, the license was relinquished back to the City.

The Commission made a note of this Relinquished License and placed this item on file by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

9. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, October 20, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

10. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, October 21, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

11. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, October 22, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

12. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, October 23, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

13. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, October 24, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

14. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, October 25, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

15. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, October 26, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

16. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, October 27, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

17. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, October 28, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

18. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, October 29, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

19. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, October 30, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

20. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, October 31, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

21. Forklift Catering, LLC, Needham, MA notifying the Commission of an Event for approximately 98 Guests on Sunday, October 30, 2022 (Event being held from 4:30pm-10:00pm) for Liquor Service from 5:15pm – 9:30pm & approximately 120 Guests on Saturday, November 5, 2022, (Event being held from 4:30pm-10:00pm) for Liquor Service from 5:00pm – 9:30pm to be held at Warehouse XI, 11 Sanborn Court, (Alcoholic Beverages served from Forklift Catering, LLC)

This item was placed on file.

22. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, November 1, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

23. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, November 2, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

24. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, November 3, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

25. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, November 4, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

26. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, November 5, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

27. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, November 6, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

28. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, November 7, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

29. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, November 8, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

30. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, November 9, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

31. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, November 10, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

32. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, November 11, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

33. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, November 12, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

34. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, November 13, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

This item was placed on file.

Existing Common Victualler License

Change of Hours for Permanent Indoor Seating

Change of Hours for Temporary Outdoor Sidewalk Seating from 11/22/22-11/30/22

ONLY

35. Creations Coffee Somerville, LLC
d/b/a True Grounds Café
717 Broadway
Current Hours of Operation Permanent Indoors Monday – Sunday: 8:00am- 2:00pm
No Hours of Operation listed for Temporary Outdoor Sidewalk Seating

New Hours of Operation: Indoors – Monday-Sunday: 7:00am-9:00pm – *Correction to opening hour*

New Hours of Operation: Temporary Outdoor Sidewalk Seating from 11/22/22 – 11/30/22 ONLY Monday-Sunday: 8:00am-9:00pm
(ALM22-000118)

Tanner Spees appeared on behalf of this application. Mr. Spees is requesting a change in hours indoors.

The Commission approved this Change in Hours for Indoor Seating and the Temporary Outdoor Seating - Public by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Existing Common Victualler License
Change of Corporation Name

36. Selhi & Sons Associates 2, LLC
d/b/a McDonalds's
14 McGrath Hwy
Requesting a Change in Corporation Name from Selhi & Sons Associates 2, LLC to Selhi Group 2, LLC
(ALM22-000119)

Anurak Selhi Appeared on behalf of this application. The Commission had no questions on this change.

The Commission approved this Change of Corporation Name by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Existing Inn (without Alcohol) License
Change of Corporation Name

37. Bowers Management LLC
d/b/a Bowers House
9 Bowers Ave.
Christina Yanhui Li
Steven Kwong
Requesting a Change in Corporation Name from Bowers Management, LLC to Yanhui Li
(ALM22-000120)

Yanhui Li appeared on behalf of this application. The Commission had no questions on this change.

The Commission approved this Change of Corporation Name by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

NEW Common Victualler License

Common Victualler and PERMANENT Outdoor Seating both Private and Public

38. Valees Inc.

d/b/a Taqueria Montecristo

144 Broadway

Rosa Duarte De Martinez

Hours of Operation Indoors and Outdoors: Monday-Sunday: 8:00am-10:00pm

Seats Indoors: Not listed

Seats Outdoors Private: 26

Seats Outdoors Sidewalk & Parklet: 22

(AL22-000037)

Jose Martinez appeared on behalf of this application. The outdoor seating will be used in the summer of 2023. Mr. Martinez stated there are 22 seats indoors. Commissioner Thomas asked what type of tables will be used and if they will be ADA accessible. Mr. Martinez confirmed they were ADA compliant. Director Postlewaite stated he had no substantive concerns, and this floor plan mirrors the Temporary Seating application approved for 2022. There is one approval condition he wanted to remind the Commission and the applicant that will be required. Director Postlewaite stated the original plans did not have a traffic control barrier and one will be required for permanent outdoor seating.

The Commission approved this Common Victualler and Permanent Outdoor Seating both Private and Public by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

NEW Common Victualler License

**Common Victualler, Entertainment by Devices Indoors and
Permanent Outdoor Seating on Public Property - Parklet**

39. Picante Somerville LLC

d/b/a Picante Taqueria

253 Washington St.

Jessica Morales

Edgardo Morales

Hours of Operation Indoors and Outdoors: Monday-Sunday: 10:00am-10:00pm

Seats Indoors: 36

Seats Outdoors Parklet: 16

(AL22-000038)

Frankie Tejada, Agent for this business, Console Sag Margulus, Jessica Morales and Benjamin Morales appeared on behalf of this application. Mr. Tajada stated they are taking over the Casa B space. The owners have been established for 30 years at Taco Loco and several other businesses. The estimated opening date is six months. Director Postlewaite stated these plans are the same patio seating plan Casa B previously proposed for 2022. He has no issues and it does not directly obstruct or interfere with the farmers' market. Director Postlewaite reminded the Commission and the applicant that Union Square continues to go through design plan review processes for the Union Square Plaza and as this progresses, any change to the plaza may require a revision to this application.

The Commission approved this Common Victualler, Entertainment by Devices Indoors and Permanent Outdoor Seating on Public Property - Parklet Seating by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Existing
Wine and Malt 7 Day Restaurant License
City Quota License
Change of License Category from Wine and Malt City Quota License to
All Forms Alcohol City Quota License

40. Navjot Kaur Corp. d/b/a Masala Square, 23 Union Square requesting approval of a Change of License Category from a Wine and Malt 7 Day Restaurant, City Quota License to an All Forms 7 Day Restaurant City Quota License.
(ALM22-000116)

Hillary Kaur appeared on behalf of this application. Ms. Kaur stated the corporation has existed for 25 years, previously under the d/b/a India Palace, with a change in d/b/a 4 years ago to Masala Square and they would like to obtain an All Forms Alcohol License. Chair Lynch asked if any previous violations, Ms. Kaur stated no. All staff is TIPS Certified. No other changes are being made. Chair Lynch asked about the hours for food and alcohol service on the application. He asked if they would be serving alcohol without food service. Ms. Kaur stated both food and alcohol service will be 12:00pm-10:00pm.

The Commission approved this Change of License Category from Wine and Malt to All Forms Alcohol by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

TRANSFER
Existing
All Forms 7 Day Restaurant License
Private License

Common Victualler, Entertainment by Devices and Performers Indoors, Sunday Hours, Outdoor Private Seating License and a Pledge of License

41. Binaas Concepts Inc. d/b/a Rosebud, 381 Summer St. requesting a Transfer of an All Forms 7 Day Alcohol Private License from Rosebud Restaurant Inc. d/b/a Rosebud at 381 Summer to Binaas Concepts Inc. d/b/a Rosebud at 381 Summer St., a Common Victualler, an Entertainment by Devices a Performers Indoors, a Sunday Hours, an Outdoor Private Seating License and a Pledge of License.

Hours of Operation Indoors and Outdoors for Food Service:

Mon-Thu: 5:00pm-11:00pm, Fri: 5:00pm-12:00pm, Sat: 10:00am-12:00am, Sun: 10:00am-11:00pm

Hours of Operation Indoors and Outdoors for Alcohol Service:

Mon-Thu: 5:00pm-1:00am, Fri: 4:00pm-1:00am, Sat-Sun: 10:00am-1:00am

Seats Indoors: Not listed

(AL22-000034)

Attorney Thomas Truax, Babu Koganti and Gopi Chigurupati appeared on behalf of this application. This is a purchase of all the assets of the premises. Mr. Koganit and Mr. Chekuri have extensive restaurant experience in Boston, throughout the United States, Canada and India. There are several other restaurants in Massachusetts with full liquor licenses. Mr. Chekuri owns several microbreweries in India. Mr. Chigurupati has approximately seven years of restaurant management experience. He will be coming to MA to serve as manger. Chair Lynch asked why a menu was not submitted. Mr. Truax replied that there will be a few changes to the existing menu and thought that need to be submitted after the transfer. Chair Lynch asked to have the current menu sent to the Secretary with a note that it is subject to change. Chair Lynch also asked if any disciplinary action has been taken against the applicants by local licensing authorities or the ABCC in MA. Attorney Truax stated there had been no disciplinary action has been taken. Chair Lynch asked how many seats are indoors. Mr. Truax stated there are 130 Indoor Seats and the Outdoor Patio seating is 44.

The Commission approved this Transfer of an All Forms Alcohol, Common Victualler, Entertainment by Devices and Performers Indoors, Sunday Hours, Outdoor Private Seating and a Pledge of License by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

NEW
All Forms 7 Day Restaurant License
City Quota License
A Common Vicatualler and Sunday Hours

42. Haisol LLC d/ba Buk Kyung, 9A Union Sq. requesting approval of a New All Forms 7 Day Restaurant City Quota, a Common Victualler and a Sunday Hours License.
Hours of Operation Indoors for Food and Alcohol Service: Mon-Sun: 10:00am-10:00pm
Seats Indoors: 40 – *Correction to Indoor seating*
Seats Outdoors Private: 0 - *Correction to Outdoor Seating, there is no Outdoor Seating*
(AL22-000036)

Sool Yeong Kim appeared on behalf of this application. Mr. Kim stated there will be 40 seats indoors and no outdoor seating. Commissioner Allen asked if the previous owners of this establishment had a liquor license. Mr. Kim stated they did, and all staff are TIPS Certified. Secretary Lori Batzek informed Chair Lynch the previous licensee has not returned their license but sent an email stating he wanted to be removed from everything regarding this establishment. Chair Lynch asked if Mr. Kim is currently serving alcohol and reminded Mr. Kim, that he is not currently authorized to serve alcohol, and if he is to stop doing so immediately. The previous license must be turned in prior to Mr. Kim receiving an Alcohol License. Mr. Kim stated the previous owner said he could take over the liquor license when he purchased this establishment. Chair Lynch advised Mr. Kim this is incorrect, these City Held licenses are not transferable and are not for sale on the open market. This license will come back to the City to be reissued. Mr. Kim stated he understands. Chair Lynch instructed the Secretary to contact the existing licensee to return their Alcohol license to the City as soon as possible. Chair Lynch instructed the Secretary to email the applicant as to what is expected on this matter.

The Commission approved this City Held All Forms Alcohol (pending the return of the previous alcohol license and ABCC approval), Common Victualler and Sunday Hours License by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

LATE ITEM
Approved at Licensing Commission Meeting on 10/17/22
Administrative Item only to comply with Abutters Notice Requirement

NEW
FARMERS POURING LICENSE,
Transformative Area
Common Victualler, Entertainment by Devices, Performers & Patrons – Indoors & Outdoors, Outdoor Private Patio and a Sunday Hours License

43. Portico South Street LLC d/b/a Portico Somerville, 101 South St. requesting approval for a Farmers Pouring License, a Common Victualler License, an Entertainment by Devices, Performers & Patrons License (all) Indoors & Outdoors, an Outdoor Private Patio and a Sunday Hours License

Hours of Operation for Food Service Indoors & Outdoors on Private Patio:

Mon-Sun: 7:00am-12:00am

Hours of Operation for Alcohol Service Indoors & Outdoors on Private Patio: Mon-Sun:
10:00am-12:00am

Seating Indoors: 92 Seats

Seating Outdoors: 36 Seats

(AL22-000028)

Alex Rabi appeared for this application.

The Commission approved this Administrative Item to comply with the Abutters Notice Requirement by a roll call vote of 3 in favor (Lynch, Allen, Thomas) and 0 opposed.

Licensing Commission Announcements

Chair Lynch shared an announcement that a notice was sent to licensees in the renewal packages that all Public Seating furniture must be removed by November 30, 2022.

Chair Lynch also requested that the City Clerk's Office and Police Department, send an advisory to licensees as a notice to beware of spiked drinks, over the holiday season similar to the notice the Cambridge and Boston Licensing Commissions and Police Departments issued. Chair Lynch advised Somerville's licensees to please be aware they have a responsibility and a duty to protect their patrons.

The meeting was adjourned at 7:30pm, by a roll call vote of 3 in favor (Lynch, Allen and Thomas) and 0 opposed.