

**City of Somerville  
Licensing Commission**

**Atrium  
2<sup>nd</sup> Floor  
Tufts Administration Building  
167 Holland Street**

***Minutes of the Regular Meeting***

**Regular Meeting  
Thursday  
January 18, 2018  
6:00 p.m.**

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.

1. Minutes of November 16, 2017 Meeting

*The commission took notice and accepted these minutes*

**Request of the Commission**

2. Draft Motion: Move that the Licensing Commission's Executive Secretary post the following information on the Commission's website: Current License Fee Schedule, the Number and type of licenses available for issuance (and any future announcements regarding availability), the 2016 Map showing License Locations as on file at the City Clerk's office, and all Amendments to the Licensing Commission's Rules and Regulations since the last compilation was published.

*The commission approved this Draft Motion*

**Request of the Commission for Status Update**

3. Update of Uptown Café d/b/a Johnny D's Liquor License status

*The Commission instructs Licensee to send a written report with an update for the February Licensing Commission Meeting and to appear at the March Meeting for a Verbal Update on the status of this license*

**Communications**

Notice to the Commission from the Alcoholic Beverages Control Commission for:

4. A Notice of Hearing on January 30, 2018 at 10:30am for Gam Ro, Inc. d/b/a Teele Square Liquors. Date of Alleged Violations: Friday, October 30, 2017 at approx. 7:15pm

*The commission took Administrative Notice of this matter*

5. A Notice of Hearing on January 30, 2018 at 11:00am for Gam Ro, Inc. d/b/a Teele Square Liquors. Date of Alleged Violations: Friday, October 20, 2017 at approx. 7:10pm

*The commission took Administrative Notice of this matter*

6. A Notice of Hearing on Tuesday, February 13, 2018 at 11:30am for the Disabled American Veterans of W.W. DBA Chapter #27 of Somerville, Inc. Date of Alleged Violations: Thursday, May 12, 2016 at approx. 12:51pm

*The commission took Administrative Notice of this matter*

7. Murfslix, Inc. notifying the Commission of an Event for approximately 250 Guests, hosted by Brooklyn Boulders, 12A Tyler St. Sponsored by the Snow Riders on Saturday, December 9, 2017 from 8:00PM-1:00AM (Alcoholic Beverages served from Murfslix, Inc., Caterer)

*The commission took Administrative Notice of this matter*

**Common Victualler**

8. Friends Pizzeria Inc. d/b/a Friends Pizzeria  
38 Cross St.  
Mohammed Hossain

*The commission approved this CV License.*

9. JSD Millionaire Inc. d/b/a Kor Tor Mor  
24 College Ave.  
Jakkrit Daranuwat & Siriwan Daranuwat

*The commission approved this CV License.*

**Common Victualler change of D/B/A, Change of Officers/Owners  
& New Entertainment by Devices Licence**

10. Esquinas Lanches Inc. d/b/a Esquina's Lanches  
508 Medford St.  
Joao Carlo dos Santos  
Change of d/b/a from Esquina's Lanches to Big Burguer  
Change of Officers/Owners: Remove Wellington Caetano da Silva and Add Joao Carlos dos Santos  
New Entertainment by Devices License

*Applicant did not appear for this meeting.*

*The Commission continued this application until the February Licensing Commission Meeting*

**Special Alcohol License**

11. M.O.M.'s Run 5K Run and Walk for Cancer requested by Kirsten Chervinsky, 17 Thorndike St. requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for 5K Run and Walk for Cancer to be held Outdoors from 371 Summer St. to Vinal Ave, Willow Ave. from Summer St. to Highland Ave., Highland Ave. from Willow St. to Vinal Ave., on Sunday, May 13, 2018 from 9:00am – 1:00pm

*The commission approved this Special Alcohol License.*

12. Somerville Media Center requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for Annual awards ceremony acknowledging the producers and members contributions to SMC to be held Indoors at 11 Sanborn Ct. on Thursday, February 1, 2018 from 3:00pm – 10:00pm

*The commission approved this Special Alcohol License.*

13. Massachusetts Housing & Shelter, requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for a MHSA Donor Appreciation Event, to be held Indoors, on Sunday, February 11, 2018 at 21 Properzi Way from 2:00PM – 4:00PM

*The commission approved this Special Alcohol License.*

14. Warehouse XI, 11 Sanborn Court, requested by Vladimir Dure requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for Vladimir Presents The Durestylez Experience, to be held Indoors on Sunday, February 11, 2019 at 11 Sanborn Court from 3:00PM to 10:00PM

*The commission approved this Special Alcohol License with the condition that applicant speak with Police to determine if a detail is necessary.*

15. Warehouse XI, 11 Sanborn Court, requested by Tabula Rasa Multidisciplinary Experiment requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for HEADBONE with an art opening retrospective of painting and videos from past Taula Rasa Experiments, improvisational performance, to be held Indoors on Friday, January 26, 2018, at 11 Sanborn Court from 6:00PM to 11:00PM

*The commission approved this Special Alcohol License with the condition that applicant speak with Police to determine if a detail is necessary.*

16. Warehouse XI, 11 Sanborn Court, requested by Tabula Rasa Multidisciplinary Experiment requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for Weird Local Film Festival, to be held Indoors on Wednesday, January 24, 2018, at 11 Sanborn Court from 7:00PM to 10:00PM

*The commission approved this Special Alcohol License with the condition that applicant speak with Police to determine if a detail is necessary.*

- 16a. Hellenic Association of Somerville d/b/a Dormition of Virgin Mary Church, 29 Central St. requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for a Fundraiser to be held Indoors in the Upper Hall at 29 Central St. on Saturday, February 10, 2018 from 7:30pm – 1:30am

*The commission approved this Special Alcohol License.*

### **AMENDMENTS FOR EXISTING LICENSES**

#### **Amendment for a Change in Beneficial Interest**

17. DDH Hotel d/b/a Holiday Inn, 30 Washington St. requesting approval for a Change in Beneficial Interest Remove David Shamoian (his interest is shared among the remaining owners.

*The Commission approved this Change in Beneficial Interest.*

#### **Amendment for a Change of Manager and a Change of Hours on Sunday**

18. American Multi-Cinema, Inc. d/b/a AMC Theatre Assembly Row 12, 395 Artisan Way requesting approval for a Change in Manager to Kevin P. Hunt Jr. and a Change in Hours on Sundays from opening at 12:00pm to 10:00am

*The Commission approved this Change of Manager and Change of Hours.*

### **ALL FORMS 7 DAY RESTAURANT LICENSE – City License** **NEW City Non Transferrable All Forms 7 Day Restaurant License** **Special Legislation Chapter 142 Acts of 2016** **Assembly Row Area** **A Common Victualler License** **an Entertainment by Devices Performers and Patrons License** **and Opening Before Noon on Sunday**

19. Somerville MIB+K, LLC d/b/a Waxy's Modern Irish Bar and Kitchen, 375 Revolution Drive requesting approval for an All Forms 7 Day Restaurant Alcohol License a Common Victualler License an Entertainment by Devices, Performers and Patrons License and Opening before Noon on Sunday

*Applicant did not appear for this meeting.*

*The Commission continued this application until the February Licensing Commission Meeting.*

**ALL FORMS 7 DAY RESTAURANT LICENSE – City License**  
**NEW City Non Transferrable All Forms 7 Day Restaurant License**  
**Special Legislation Chapter 142 Acts of 2016**  
**Common Victualler,**  
**Enhancement Area**  
**an Entertainment by Devices License**  
**and Opening Before Noon on Sunday**

20. Petsico's Group, Inc. d/b/a La Posada Restaurant, 505 Medford St. requesting approval for an All Forms 7 Day Restaurant Alcohol License a Common Victualler License an Entertainment by Devices License and Opening before Noon on Sunday

To be placed on February 15, 2018 Agenda

**SPECIAL FARMER WINERY LICENSE**

21. Far From The Tree Cider 102 Jackson St., Salem, MA, requesting approval of a Special Farmer Winery License to sample and sell Hard Ciders produced by the licensee for off-premise consumption at Somerville Winter's Farmer's Market to be held at 191 Highland Ave. on Saturday's January 27, 2018 to April 14, 2018 form 9:30AM to 2:00PM

*The Commission approved this Special Farmer Winery License.*

## **VIOLATIONS**

22. B.E.E.F., Inc. d/b/a Fasika , 145-147 Broadway to show cause why the All Forms Alcoholic Beverages 7 Day Restaurant, 2AM License, Common Victualler, 2AM Closing and Entertainment 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 reduced, for alleged violation of Massachusetts General Laws Chapter 138 §§ 12, 23 and 64 and Somerville Licensing Commission Rule 1.09.c. and 109.e. to wit:

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

- (1) maintaining the front door in a closed position;
- (2) asking loiterers to disperse;
- (3) calling the police if loiterers refuse to disperse;
- (4) requesting a police detail or stationing an employee at the front door to disperse loiterers;
- (5) refusing to allow the same patrons to walk in and out of the premises at short intervals;
- (6) maintaining order in lines of patrons waiting outside to get in;
- (7) announcing that no further patrons will be allowed into the premises if lines become too long or disorderly or loud.

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

Somerville Licensing Commission Rule 1.13.a. – Licensees shall make all reasonable and diligent efforts to ensure that illegal activities do not occur at the licensee's premises. Such efforts may include, but are not limited to: (5) calling for

police assistance as necessary to protect patrons against injury or to evict unruly patrons or to uncover unlawful conduct or to give medical assistance and providing police with requested information;

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

The date of the alleged offense is 5/20/17

*The Commission voted to sanction the establishment with a 5 Day Rollback of the Closing Hour to 11:00pm to be administered on 1/30/18, 2/1/18, 2/11/18, 2/12/18 and 2/13/18. Licensee shall instruct and retrain all staff on the requirement to call police per Licensing Commission Regulations.*