



**City of Somerville
Licensing Commission**

Regular Meeting at 42 Cross St and Via Remote Participation

**Monday
Regular Licensing Commission Meeting
July 17, 2023
6:00pm**

DRAFT MINUTES

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.

The meeting was called to order by Chair Lynch at 6:06pm

Attendance:

Chair Joseph Lynch – present

Commissioner Christopher Allen – present

Commissioner Jacques Thomas, Jr. – absent

Others present: Bernabe Rodriguez – Assistant City Clerk; Lori Jean Batzek – Secretary to the Commission; Timothy Mitsakis – Police Lieutenant; Francis A. Otting – Fire Acting Captain; Isabela De Moura Maia – Junior Civil Engineer

Communications

1. Minutes of the Regular Licensing Commission Meeting of 6/5/23

The Commission approved the minutes.

2. Communication from Chair Lynch: That the Somerville Licensing Commission discuss the Boston Licensing Board Advisory regarding closed captioning on public facing televisions.

Chair Lynch would like to present a communication regarding the desire to incorporate similar requirements in the Licensing Commission Rules and Regulations to the ADA Commission, the Public Health Department, and the City Solicitor in the hopes of



receiving their input. This communication will include a copy of the Boston Licensing Board Advisory. Chair Lynch would also like to send a communication to the City Council and Mayor's office regarding the Commission's desire to move forward with these changes.

3. Licensing Commission requesting a status report on the use of All-Forms Alcohol License:

License #	Business Name	Address	License Type	Category
AL17-000027	Nucleo Sportinguista Inc.	282 McGrath Hwy	All Forms	Private- Club

Continued from the 10/17/22, 1/23/23, 4/10/23, 5/15/23 and 6/5/23 Licensing Commission Meetings

No representative appeared for this status report. Chair Lynch made note that the item has been continued from October, January, April, May, and June. Commissioner Allen stated given how long this item has been on the agenda, he would be okay with including it on the next agenda to consider for revocation. Chair Lynch asked if any communication had been received since the June Licensing Commission meeting. Secretary Lori Batzek confirmed no communication has been received since the Licensing Commission Meeting on June 5, 2023. Secretary Batzek also confirmed a letter and email were sent to the license holder informing them of the request to appear before the Commission. Chair Lynch requested that this matter be referred to the City Solicitor with all relevant documentation for possible revocation. Chair Lynch also asked that the license holder be made aware that this matter has been referred to the City Solicitor for possible revocation.

The Commission continued this item to the Licensing Commission meeting in August for possible revocation.

License #	Business Name	Address	License Type	Category
AL17-000075	The 99 Restaurant & Pub	20 Cummings St.	All Forms	Private

Continued from the 1/23/23, 5/15/23 and 6/5/23 Licensing Commission Meetings

Attorney Phillip Purcell appeared as a representative for the 99 Restaurant & Pub. Attorney Purcell stated that they are still in search of a new location. Attorney Purcell stated that there is still no current timeline as to when they will find a new location. Chair Lynch asked that Attorney Purcell notify the corporate offices of the 99 Restaurant & Pub



that the Commission cannot allow for pocketed licenses to continue, and that Attorney Purcell relay any response the corporate offices may have to the Licensing Commission.

The Commission continued this item to the Licensing Commission meeting in August.

4. Licensing Commission requesting a status report on the use of Wine and Malt Package Store License:

License #	Business Name	Address	License Type	Category
AL20-000017	Top Shelf at Assembly	365 Canal St.	W&M Package	Private

Continued from the 11/21/22, 5/15/23 and 6/5/23 Licensing Commission Meetings

The Commission received a request from the license holder to continue this item to the next Licensing Commission meeting.

The Commission continued this item to the Licensing Commission meeting in August.

Special Alcohol Licenses

5. Merlin Entertainment d/b/a Legoland Discovery Center, 598 Assembly Row, requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Lego Adult Night to be held Indoors at Legoland Discovery Center in the Café area on Wednesdays, 8/9/23, 9/13/23, 10/11/23, 11/8/23 and 12/13/23 from 7:00pm–9:00pm (Alcohol Service)
(PEL23-000110)

Johnathan Tanco, Operations Manager for Lego Discovery Center Boston appeared for this application. Johnathan stated the center had been closed for renovations and were holding adult nights prior to the renovations and prior to the pandemic. Jonathan confirmed they are using a brewery partner as a distributor and that the brewery partner has TIPS certified staff to serve the guests.

The Commission approved the application a Special Alcohol License.



6. Small Change Brewing Company, LLC, 636 Mystic Ave., requesting approval of a Special Alcohol License for East Somerville Festival Series, to be held Outdoors at the East Branch of the Somerville Public Library on Sundays, 7/23/23, 8/20/23 and 9/10/23 from 4:00pm–7:00pm (Alcohol Service)
(PEL23-000111)

Michael Patterson, owner of Small Change Brewing, appeared before the Commission. Michael stated that there is a public event license under East Somerville Main Streets for the event dates and that Small Change Brewery will be participating with many other restaurants and vendors. Chair Lynch asked if this was the first-time doing business in Somerville. Michael Patterson confirmed that it was. Chair Lynch also clarified the event will be happening on a street adjacent to the East Branch of the Somerville Public Library. Michael Patterson also confirmed his staff is TIPS certified.

The Commission approved the application a Special Alcohol License.

7. Downeast Cider House LLC, 256 Marginal St. Boston, requesting approval of a Special Alcohol License for Downeast @ Volo to be held Outdoors in a temporary container set up within the Volo activation with a fenced in area from 7/18/23, to 8/16/23, from 12:00pm–9:30pm (Alcohol Service)
(PEL23-000119)

Brad Tinkham appeared on behalf of Downeast Cider House LLC. Brad Tinkham stated they will be operating a container bar set up within Volo at Assembly Row. They will have TIPS certified employees and crowd management employees to monitor the area. Brad Tinkham and Secretary Batzek confirmed the address of Volo to be 301 Assembly Row.

The Commission approved the application a Special Alcohol License.



Existing All Forms Alcohol License
Public Parklet Seating

8. Out of the Blue Restaurant Inc. d/b/a Out of the Blue, 215 Elm St., requesting approval of a Public Parklet Seating License
Outdoor Public Parklet Seats: 16
(ALM23-000024)

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

Lydia Liakos appeared on behalf of Out of the Blue. Lydia stated that it is the same seating and same arrangement that they have had for the past two temporary outdoor seating seasons. Junior Civil Engineer, Isabela De Moura Maia stated the applicant provided everything required and recommends this application for approval. Chair Lynch opened the public hearing. No members of the public spoke on this item. Chair Lynch closed the public hearing.

The Commission approved the application for Public Parklet Seating.

9. Annex TW Inc. d/b/a Bronwyn, 255 Washington St., requesting approval of a Public Parklet Seating License
Outdoor Public Parklet Seats: 16
(ALM23-000066)

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

Bronwyn Wiechmann appeared on behalf of Annex TW Inc. d/b/a Bronwyn. Chair Lynch stated he was aware of what had occurred with the previous application for outdoor seating and the Alcoholic Beverages Control Commission's (ABCC) decision to deny their application. Bronwyn Weichmann stated the ABCC asked that their parklet stay contiguous to the business and not have customers and employees walk across traffic. Bronwyn Weichmann worked with the neighboring restaurants Picante,



Junebug, and Cantina to figure out an equitable use of the spaces in front of the buildings. Picante had told Bronwyn Weichmann that they would be willing to give two parking spaces for Bronwyn to use in front of their business. Chair Lynch asked Assistant City Clerk Bernabe Rodriguez if Picante had submitted a letter to the Commission. Assistant City Clerk Rodriguez confirmed no letter had been submitted but he did confirm an application for a change of premises had been submitted but did not receive proper signoffs before the deadline to appear on the agenda. Chair Lynch asked when the Commission had approved Picante's license for outdoor dining. Assistant City Clerk Rodriguez stated it was approved in November 2022. Chair Lynch stated that without Picante's new plans and application before the Commission, they could not approve Bronwyn's application during the meeting. He also stated the Commission did decide to hold a public hearing to not hold up Bronwyn completely. Bronwyn Weichmann stated that when Picante came before the Commission in November, the Commission approved the use of the parking spaces directly in front of Bronwyn without the requirement of a letter from Bronwyn allowing for Picante to use that space. Bronwyn also stated that as part of their application as they were required to ask Picante for use of the space they are currently applying for. Bronwyn Weichmann stated that if she was contacted back in November by Picante then she would have appeared for the hearing. Chair Lynch asked if Secretary Batzek could verify if documentation was required from building ownership to sign off on Picante's use of the space. Secretary Batzek did confirm a letter was required and submitted by Henry Patterson, President of Food Services Financial Inc. on November 21, 2022 giving consent for the use of the three parking spaces. Henry Patterson also stated in the letter that he had confirmed consent from the abutting sub tenants at 251 to 251A Washington St and 255 to 253A Washington St that the plan was acceptable to them. Chair Lynch asked if Bronwyn is included in those addresses. Bronwyn confirmed that they are included within those addresses. Chair Lynch opened the public hearing. No members of the public spoke on this item. Chair Lynch closed the public hearing.

The Commission continued the item to the Licensing Commission meeting in August.



Existing All Forms Alcohol License
Public Parklet Seating, Heating Elements and Designated Dog Area

10. Petiscos Group Inc. d/b/a La Posada, 505 Medford St., requesting approval of a Public Parklet Seating License with Heating Elements and a Designated Dog Area
Outdoor Public Parklet Seats: 32
Propane Heaters: 4
Designated Dog Area
(ALM23-000048)

Joe Posada appeared on behalf of La Posada. Joe Posada confirmed it is the same set up as they have had during the previous temporary outdoor seating seasons, with the new inclusion of a designated dog area and outdoor heaters. Acting Captain Francis Otting confirmed that the applicant provided everything needed and recommended the application for approval. Junior Civil Engineer De Moura Maia also recommended the application for approval. Chair Lynch made Joe Posada aware of the other requirements stated in the rules and regulations regarding dog areas. Chair Lynch opened the public hearing. Paola Gomez spoke in support of the application. No other members of the public spoke on this item. Chair Lynch closed the public hearing.

The Commission approved the application for Public Parklet Seating, Heating Elements and a Designated Dog Area.

Existing All Forms Alcohol License
Private Patio Seating

11. Olive, Viola, and Will Inc. d/b/a Dragon Pizza, 233 Elm St., requesting approval of a Private Patio Seating License
Outdoor Private Patio Seats: 38
(ALM23-000029)

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

Charlie Redd, owner of Dragon Pizza, appeared before the Commission. Charlie Redd stated that the owner of the building is aware of the application for outdoor seating.



Chair Lynch asked that Charlie acquire written authorization from the building owner if they have not done so already and to submit it to the City Clerk's Office. Charlie Redd confirmed the hours of operation for the outdoor dining were from 12PM to 10PM. Chair Lynch opened the public hearing. Acting Captain Otting asked that Charlie Redd have his employees trained in the case of an emergency to clearly identify that the emergency is in the rear of the building so that assistance is properly dispatched. Junior Civil Engineer De Moura Maia recommended the application for approval. No members from the public spoke on this item. Chair Lynch closed the public hearing.

The Commission approved the application for Private Patio Seating.

Transfer
Wine and Malt Package Store License – Private
and a Change of Location

12. Vatika Corporation d/b/a 350 Food Mart, 350 Broadway, requesting approval of the Transfer of Wine and Malt Package Store License from Himigiri Enterprise d/b/a K-2 Beer and Wine, 500 Medford St., to Vatika Corporation d/b/a 350 Food Mart, 350 Broadway
Hours of Operation: Sun-Sat: 11:00am-11:00pm
(AL23-000012)

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

Secretary to the Commission Lori Batzek stated this applicant appeared before the Commission in the May 15, 2023, Licensing Commission meeting, but the applicant did not notify the abutters of a public hearing. The item was continued to the June 5, 2023 Licensing Commission meeting. The abutters again were not notified and the item was continued to the July 17, 2023 Licensing Commission meeting. Secretary Batzek confirmed that the abutters were properly notified of a public hearing for this meeting. The public hearing was opened. Mary Keane gave some concerns regarding loitering and public behavior that may occur from an increase in customers at this location. Chair Lynch stated that any complaints should be directed to the Licensing Commission regarding any license holders that may be in violation of the Commission's rules and regulations. Chair Lynch also stated that investigations will take place to



follow up on any complaints. Commissioner Chris Allen reinforced that complaints should be made to the Licensing Commission regarding any license holders in violation of their rules and regulations. No other members of the public spoke on this item. Chair Lynch closed the public hearing.

The Commission approved the application for a transfer of a Private Wine and Malt Package Store License and a Change of Location.

Transfer

All Forms Package Store License – Private

13. Mahantguru Corporation d/b/a Liquor World, 225-231 Elm St., requesting approval of the Transfer of an All Forms Package Store License from Bargain Spot Warehouse Liquors, Inc. d/b/a Downtown Wine & Spirits, 225-231 Elm St.
Hours of Operation: Mon-Sat: 8:00am-11:00pm and Sun: 10:00am-9:00pm
(AL23-000022)

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

Attorney Matthew Porter, Harmit Raval on behalf of Mahantguru Corporation and Dewey Parsons appeared on behalf of Warehouse Liquors Inc. Attorney Porter stated Harmit Raval and his partner Shivam Patel are TIPS certified and will have a scan machine installed to ensure no underage sales. Attorney Porter confirmed there will be no changes to the structure or hours of the location. Attorney Porter did state the applicant is also requesting a pledge of license and inventory. Chair Allen confirmed the pledge of license and pledge of inventory is on the application submitted. Commissioner Allen asked if any violations had occurred at any of their other locations. Attorney Porter stated no violations had occurred. Commissioner Allen asked how many licenses the applicants currently hold. Attorney Porter stated that this would be Shivam Patel's sixth license and this would be Harmit Raval's second license. He also confirmed that none of these licenses are in Somerville but all licenses are in the state of Massachusetts. Chair Lynch opened the public hearing. No members of the public spoke on this item. Chair Lynch closed the public hearing.

The commission approved the application for a transfer of a Private All Forms Package Store license including a pledge of license and a pledge of inventory.



Existing Common Victualer License
Entertainment by Devices Indoors

14. Kaizen Corp IV d/b/a Anna's Taqueria, 236 Elm St., requesting approval of an Entertainment by Devices Indoors License
(ALM23-000058)

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

No representative appeared before the Commission. Chair Lynch opened the public hearing. No members of the public spoke on this item.

Chair Lynch maintained the public hearing open and continued the item to the August meeting.

15. Maprang Inc. d/b/a Maprang Bakery & Café, 51 Union Sq., requesting approval of an Entertainment by Devices Indoors License
(ALM23-000063)

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

Pilin Jusangsri appeared behalf of Maprang Inc. Pilin Jusangri stated they are only looking to have a radio indoors as their entertainment. The Commission had no questions. Chair Lynch opened the public hearing. No members from the public spoke on the item. Chair Lynch closed the public hearing.

The Commission approved the application for Entertainment by Devices Indoors.

New
Common Victualer License and
Entertainment by Devices Indoors



16. Antojitos CG Corporation d/b/a Antojitos, 507 Medford St., requesting approval of a Common Victualler License and an Entertainment by Devices Indoors License
Indoor Seats: 10
Hours of Operation: Sun-Sat: 6:00am-10:00pm
(AL23-000024)

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

Paola Gomez and Gabriela Gomez appeared behalf of Antojitos. Paola Gomez stated they are looking to get approval for seating in the restaurant as there is demand from their customers. Chair Lynch opened the public hearing. Joe Posada spoke in support of the application. Chair Lynch closed the public hearing.

The Commission approved the application for a Common Victualler License and Entertainment by Devices Indoors.

New
Wine and Malt 7 Day Alcohol License
Chapter 142, Acts of 2016 – Enhancement Area,
Common Victualler, Entertainment by Devices Indoors and Sunday Hours

17. Haisol, LLC d/b/a Buk Kyung, 9a Union Sq., requesting approval of a Wine and Malt 7 Day Alcohol License, Chapter 142, Acts of 2016, Enhancement Area, a Common Victualler License, an Entertainment by Devices Indoors License and a Sunday Hours License
Indoor Seats: 40
Hours of Operation for Food and Alcohol Service: Sun-Sat: 10:00am-10:00pm
(AL23-000023)

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

Sool Kim, owner of Haisol LLC. d/b/a Buk Kyung appeared before the Commission. Sool Kim stated that the restaurant is looking for a wine and malt 7 day alcohol license and that the restaurant serves Korean dishes. Chair Lynch asked if the applicant is



TIPS certified. Sool Kim confirmed that he is TIPS certified. Chair Lynch also asked if they had anything other than a television for entertainment. Sool Kim confirmed they only had a television. Chair Lynch opened the public hearing. No members of the public spoke on this item. Chair Lynch closed the public hearing.

The Commission approved this application for a Wine and Malt 7 Day Alcohol License Chapter 142, Acts of 2016 – Enhancement Area, Common Victualler, Entertainment by Devices Indoors and Sunday Hour.

New
All Forms 7 Day Alcohol License,
Chapter 142, Acts of 2016 – Enhancement Area,
Common Victualler, Entertainment by Devices Indoors, Entertainment by Devices
Outdoors, Entertainment by Performers Indoors, Entertainment by Performers Outdoors,
Private Patio Seating, Sunday Hours and Propane Heaters

18. Remnant Brewing LLC d/b/a Remnant Brewing, 337 Somerville Ave., requesting approval of an All Forms 7 Day Alcohol License, Chapter 142, Acts of 2016, Enhancement Area, a Common Victualler License, an Entertainment by Devices and Performers Indoors License, an Entertainment by Devices and Performers Outdoors License, a Private Patio Seating License, a Sunday Hours License and Propane Heaters
Indoor Seats: 84
Outdoor Seats: 30
Propane Heaters: 3
Hours of Operation to serve Food Indoors and Outdoors:
Mon-Thu: 9:00am-10:00pm, Fri-Sat: 9:00am-12:00am and Sun: 9:00am-9:00pm
Hours of Operation to serve Alcohol Indoors and Outdoors:
Mon-Thu: 11:00am-10:00pm, Fri-Sat: 11:00am-12:00am and Sun: 11:00am-9:00pm
(AL23-000020)

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

Brittany Lajoie, Attorney Joe Duquette, Joel Prickett, David Kushner appeared before the Commission. Attorney Duquette stated that although the application is for a new license, Remnant Brewing has been licensed and operational at the same location for



about five years. He stated the application is to offer a more diverse array of product to customers. He also stated no other changes to occupancy, or any other new licenses are being sought. Chair Lynch stated that Remnant Brewing has been operating under a Farmer Poured's License and will be relinquishing that license. Chair Lynch had asked if their current license is separate and distinct from Bow Market's license. Both Secretary Batzek and Attorney Duquette confirmed they are separate licenses. Commissioner Allen asked if the applicant had plans to serve alcohol at the bar or would they be selling pre-mixed drinks. Brittany Lajoie confirmed that the drinks would be pre-mixed canned drinks with the desire for spirits and wine for special occasions. Chair Lynch asked if the current common victualler license is separate from Bow Market's. Brittany Lajoie confirmed that it is. Chair Lynch opened the public hearing. Gerard Amaral, owner of Union Tavern spoke in support of the application. No other members of the public spoke on the item. Chair Lynch closed the public hearing.

The Commission approved the application for an All Forms 7 Day Alcohol License, Chapter 142, Acts of 2016 – Enhancement Area, Common Victualler, Entertainment by Devices Indoors, Entertainment by Devices Outdoors, Entertainment by Performers Indoors, Entertainment by Performers Outdoors, Private Patio Seating, Sunday Hours and Propane Heaters.

LATE ITEMS

Retail Marijuana License

Change of Hours

19. Sira Naturals 240 Elm St., requesting approval of a Change of Hours

Current Hours of Operation: Mon-Sun: 10:00am-8:00pm

Proposed Hours of Operation: Mon-Sun: 10:00am-11:00pm

(MEA23-000005)

Dwan Packnett, Alycia DeAngelis, and John Fernandes appeared on behalf of Sira Naturals. Dwan Packnett stated that the applicant is looking to update their hours of operation to match other recently approved retail marijuana establishment hours of operation. Sira Naturals opened their doors for medical marijuana service in 2019 and recreational marijuana service in 2022. Dwan also stated that the applicant has learned



that the customer demand has increased and peaked around 7 PM, one hour before their current closing time. Dwan stated none of Sira's operating standards will be changing. They will not allow any outdoor queuing and the establishment will be monitored 24 hours a day and 7 days a week. Chair Lynch asked if any disciplinary action by the Cannabis Control Commission had occurred since the beginning of operation in 2019. John Fernandes confirmed that no disciplinary actions have occurred since the beginning of operations in 2019. Chair Lynch confirmed that the change to the rules and regulations regarding the hours of operation for Marijuana Establishments was approved on June 5, 2023.

The Commission approved the application for a change of hours.

Special Alcohol Licenses

20. Downeast Cider House, LLC, 256 Marginal St. Building #32, East Boston, MA, requesting approval of a Special Alcohol License for Downeast @ VOLO, to be held Outdoors in a temporary container set up within the Volo fenced in area at 301 Assembly Row on 8/16/23 to 9/16/23 from 12:00pm–9:30pm (Alcohol Service)
(PEL23-000140)

Brad Tinkham appeared on behalf of Downeast Cider House. This application was to fill in the gap of additional dates needed before the next Licensing Commission Meeting. Chair Lynch asked if anything was changed from this application and their other application (PEL23-000119). Brad confirmed nothing is different besides the dates requested.

The Commission approved the application for a Special Alcohol License.

21. Berklee School of Music 2-day Concert Event, 11 Sanborn Ct., requesting approval of a Special Alcohol License for Zoe Sparks Goodbye Concert to be held Indoors at Warehouse XI on 8/5/23 to 8/6/23 from 4:00pm–11:00pm (Alcohol Service)
(PEL23-000125)



No representative appeared before the Commission. Chair Lynch stated that the Commission is familiar with the applicant. Chair Lynch stated the event occurs before the next Licensing Commission meeting. Commissioner Allen stated he has no issue with approving this application given the applicant's history with the Commission. Acting Captain Otting asked to confirm the max occupancy of the application. Chair Lynch confirmed the max occupancy of 100 attendees at one time. Both Acting Captain Otting and Police Lieutenant Timothy Mitsakis are requiring that the applicant apply for a detail from the Fire Department and Police Department.

The Commission approved the application for Special Alcohol License with a condition that they apply for a detail with both the Fire Department and Police Department.