



**City of Somerville
Licensing Commission**

Regular Meeting

**Monday
August 21, 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 6:01pm

Attendance:

Chair Joseph Lynch – present

Commissioner Christopher Allen – present

Commissioner Jacques Thomas, Jr. – present

Others present: Bernabe Rodriguez – Assistant City Clerk; Timothy Mitsakis – Police Lieutenant; Timothy Bakey – Fire Captain; Isabela De Moura Maia – Junior Civil Engineer

Communications

1. Minutes of the Regular Licensing Commission Meeting of 7/17/23

The Commission approved the minutes.

2. Communication from the **Alcoholic Beverages Control Commission** regarding an upcoming Compliance Check Hearing for H and M Spirits Inc d/b/a Somerville Wine and Spirits 235 Highland Avenue.

The communication was placed on file.



3. Communication from the **Alcoholic Beverages Control Commission** regarding an upcoming Compliance Check Hearing for Woody’s Inc. d/b/a Woody’s Liquors, 483 Broadway.

The communication was placed on file.

4. Communication from the **Alcoholic Beverages Control Commission** regarding an upcoming Violation Hearing for Triple F Pub Inc. d/b/a The Pub, 682-686 Broadway.

The communication was placed on file.

5. 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, 6/5/23, and 7/17/23 Licensing Commission Meetings

Attorney Isaac Machado and Paul Bizarria appeared before the Commission. Attorney Machado confirmed that they do have a buyer for the license. They have a signed purchase and sale with the buyer dated May 18, 2023. Attorney Machado stated the buyer also has signed a lease for the location. They are working with the buyer to ensure all state licensure is received. Chair Lynch proposed the item be continued until the November meeting. Both Commissioner Allen and Commissioner Thomas agreed and felt that a continuance of three months was reasonable.

The Commission continued the item to the November meeting.

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, 6/5/23, and 7/17/23 Licensing Commission Meetings

No representative appeared before the Commission. Assistant City Clerk, Bernabe Rodriguez stated that the City Clerk’s office did receive a communication from a paralegal on behalf of The 99 Restaurant & Pub stating that they planned on retuning the license. Chair Lynch asked that the item be continued to the September meeting with a formal communication of the license being returned.



The Commission continued this item to the September meeting.

6. 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 7/17/23 Licensing Commission Meetings

No representative appeared before the Commission. Chair Lynch stated that the applicant has been in touch with the City Clerk's office regarding the license. Assistant City Clerk, Bernabe Rodriguez stated the license has been sold and the buyer has submitted an application with the City Clerk's Office. The buyer's application is still awaiting a special permit from the Planning and Zoning department.

The Commission continued this item to the September meeting.

Special Alcohol Licenses

7. Indignant Brewing Co LLC. d/b/a Winter Hill Brewing, 328 Broadway Somerville, requesting the approval of a Special Alcohol License for the Gilman Square Block Party to be held outdoors in the Mad Oyster Studios parking lot located at 2 Bradley Street, 9/9/2023 from 12:00pm-6:00pm (Alcohol Service). (PEL23-000138)

Breck Bailey appeared on behalf of Winter Hill Brewing. Breck stated they have been doing the beverage service for the event for about 4-5 years. Commissioner Allen asked if the beverage service area is cornered off. Breck stated the service area is fenced off and ensures alcohol will not leave the premises. They will also be wrist banding for service.

The Commission approved the application for a Special Alcohol License.

8. Indignant Brewing Co LLC. d/b/a Winter Hill Brewing, 328 Broadway Somerville, requesting the approval of a Special Alcohol License for multiple programming events to be held outdoors in the Winter Hill Brewing parking lot, 9/9/2023, 9/16/2023, 9/23/2023,



9/30/2023,10/7/2023,10/14/2023,10/21/2023, and 10/28/2023 from 12:00pm-8:00pm
(Alcohol Service).
(PEL23-000143)

Breck Bailey appeared on behalf of Winter Hill Brewing. Breck stated they are using the space in the parking lot for overflow during their events. Chair Lynch suggested that the applicant reach out to the Bradford residence behind Winter Hill Brewing to notify them of these events on Saturdays as a courtesy.

The Commission approved the application for a Special Alcohol License.

9. Indignant Brewing Co LLC. d/b/a Winter Hill Brewing, 328 Broadway Somerville, requesting the approval of a Special Alcohol License for the Elizabeth Peabody House Fall Festival to be held indoors and outdoors at the Elizabeth Peabody House, 275 Broadway Somerville on 10/14/2023 from 12:00pm-4:00pm (Alcohol Service).
(PEL23-000154)

Breck Bailey appeared on behalf of Winter Hill Brewing. Breck stated this will be the second year they will be serving at this event and have had no issues. The Commission had no questions.

The Commission approved the application for a Special Alcohol License.

10. Dormition of the Virgin Mary Greek Orthodox Church, 29-31 Central St Somerville, requesting the approval of a Special Alcohol License for the 2023 Greek Food & Music Festival to be held indoors and outdoors in the church parking lot and lower hall on 9/8/2023 from 12:00pm-11:00pm (Alcohol Service), 9/9/2023 from 12:00pm-11:00pm (Alcohol Service), and 9/10/23 from 12:00pm-9:00pm (Alcohol Service).
(PEL23-000120)

Peter Tsourianis appeared on behalf of Dormition of the Virgin Mary Greek Orthodox Church. Chair Lynch asked how the festival will be serving and how the festival will be conducted. Peter stated that the community and volunteers run the festival, prepare, and clean the festival. Commissioner Thomas asked that the applicant be mindful of the trash and rodent issue in the area. Peter stated that they will take all proper precautions to avoid trash overflowing and creating overflow for rodents. Commissioner Allen asked if they will be purchasing from a licensed distributor. Peter



was unsure as to where they purchase the alcohol. Chair Lynch recommended that the applicant get in touch with the City Clerk's Office to get a list of licensed distributors. Commissioner Allen asked what the plan to control access to alcohol would be. Peter stated that there are police officers present that would discourage anyone who may not be appropriate from attempting to be served alcohol and that they will be checking IDs. Peter stated that they do not have a police detail yet but will reach out to the Police Department. Commissioner Allen asked if they have been in contact with the Fire Department regarding their tent and outdoor cooking equipment. Peter stated they have not because they have a sprinkler system in the building. Commissioner Allen stated they do need to get in touch with the Fire Department regarding their tent and outdoor cooking equipment.

The Commission approved the application for a Special Alcohol License.

11. St Anthony of Padua Parish, 12 Properzi Way Somerville, requesting the approval of a Special Alcohol License for the Baile de Outono to be held indoors, 10/21/2023 from 8:00pm-12:00am (Alcohol Service).
(PEL23-000132)

Raphael Alves appeared on behalf of St. Anthony of Padua Parish. Commissioner Allen asked how many people are expected to attend the event and if they have applied for a police detail. Raphael stated they expect between 100 and 150 people to attend. Raphael also stated that he believes they already applied for a police detail. Lieutenant Timothy Mitsakis stated that he would check if they had in the morning. Commissioner Allen asked what the plan was to control access to alcohol. Raphael stated they have six volunteers at the door who will be checking IDs and wrist banding those who are allowed to drink alcohol.

The Commission approved the application for a Special Alcohol License.



12. The Portuguese-American Civic League, 26 Springfield St Somerville, requesting the approval of a Special Alcohol License for the Portuguese-American Civic League & Holy Ghost End of Summer Gathering to be held indoors and outdoors in the parking lot adjacent to 26 Springfield St, 9/15/2023 7:00pm-12:00am (Alcohol Service), 9/16/2023 7:00pm-12:00am (Alcohol Service) and 9/17/2023 from 11:00am-9:00pm (Alcohol Service). (PEL23-000148)

Joseph Vasconcelos appeared on behalf of The Portuguese-American Civic League. Commissioner Lynch asked for some detail of the event. Joseph stated this event is similar to their Holy Ghost Feast held in July. A few of their senior members have asked the parish to have a smaller version of that event which has led to this application. Joseph stated that no tent will be used, nor will a fire detail be necessary. He also stated they will be wrist banding to control the access to alcohol with a different color each day. Joseph confirmed that there will be five people who will be checking IDs at the door.

The Commission approved the application for a Special Alcohol License.

13. Revival Davis LLC, d/b/a Revival Cafe & Kitchen, 197 Elm St Somerville, requesting the approval of a Special Alcohol License for Comfort Kitchen Pop-Up to be held indoors, 9/17/2023 from 5:00pm-8:00pm (Alcohol Service). (PEL23-000150)

Jill Quinn appeared on behalf of Revival Café & Kitchen. Jill stated this is the fourth pop-up they will be having but the first time working with the chef from Comfort Kitchen located in Dorchester. All servers will be TIPS certified. The location is ADA accessible with two bathrooms as well. The event will be all on private property. They will be checking IDs and wrist banding at point of service. Commissioner Thomas asked if there will be any entertainment at the event. Jill Quinn confirmed that there will not be any entertainment.

The Commission approved the application for a Special Alcohol License.



Existing Common Victualler License
Public Parklet Seating

14. Picante Somerville LLC. d/b/a Picante Taqueria, 253 Washington St., requesting approval of a Public Parklet Seating License.
Outdoor Public Parklet Seats: 16
(ALM23-000067)

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

Jessica Morales appeared on behalf of Picante Taqueria. Jessica confirmed that they are a new restaurant and opened the restaurant on June 10th. They used the space that Casa B previously used. Junior Civil Engineer, Isabela De Moura Maia, explained that Picante Taqueria had received previous approval for parklet seating but is now appearing after working with their neighbor, Bronwyn, to get approval for a newer smaller parklet. Junior Civil Engineer, Isabela De Moura Maia also recommended the 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.

Existing All Forms Alcohol License
Public Parklet Seating

15. 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. Bronwyn stated they worked with Picante Taqueria and came to an agreement where both restaurants felt comfortable with 16 seats. Chair Lynch made note that Bronwyn



appeared before the Commission in the July meeting and it was continued to this meeting, as Picante Taqueria needed to receive approval to their parklet before Bronwyn could be approved for theirs. Junior Civil Engineer, Isabela De Moura Maia recommended the 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.

16. 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 recommended the 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.

17. Painted Burro Inc, d/b/a The Painted Burro, 219 Elm St, requesting approval of a Public Parklet Seating License.
Outdoor Public Parklet Seats: 46
(ALM23-000055)

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

Kim Winters, Manager of Record, appeared on behalf of The Painted Burro. Kim Winters stated they are looking to have the same as they have had the past two years during temporary outdoor seating seasons. Commissioner Thomas asked if there were



any issues with accessible seating. Kim Winters stated there may have been a question last year about seating from a customer but their parklet is flush and handicap accessible. She also stated the parklet consists of picnic tables and a table with chairs. Junior Civil Engineer, Isabela De Moura Maia recommended the 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.

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

18. 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)

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

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. Fire Captain Timothy Bakey confirmed the applicant has already submitted the proper paperwork for the propane heaters. Chair Lynch reminded the applicant to refer to the Rules and Regulations regarding designated dog areas. Junior Civil Engineer, Isabela De Moura Maia recommended the 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.



Existing All Forms Alcohol License
Private Patio Seating and a 2 AM License

19. Thirsty Scholar Ballroom LLC. d/b/a The Thirsty Scholar, 70 Beacon St., requesting approval of a Private Patio Seating License and a 2 AM License.

Private Patio Seats: 32

Propane Heaters: 4

Designated Dog Area

(ALM23-000069)

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

Attorney Anne Vigorito appeared on behalf of the Thirsty Scholar. Attorney Vigorito stated they are looking to expand the premises for a private patio as well as to expand their hours to 2AM. Attorney Vigorito stated there were no issues since they opened over a year and half ago. Attorney Vigorito stated that they have supplied the Licensing Commission with a petition with approximately 20 signatures expressing their support for the 2AM license. Attorney Vigorito corrected a typo on the agenda and stated that the private patio seat total is 43 seats. Assistant City Clerk Bernabe Rodriguez confirmed the typo on the agenda and the correct amount of private patio seats is 43 seats. Junior Civil Engineer, Isabela De Moura Maia also confirmed the review and approval of 43 private patio seats. Commissioner Allen asked for clarification of the hours for outdoor seating. Attorney Vigorito stated the applicant has not fully decided yet how they will manage the hours of the outdoor patio. They may just use the space until the last call and have patrons return indoors. Chair Lynch asked for confirmation of the Rules and Regulations surrounding hours of private patio seating. Commissioner Allen and Assistant City Clerk, Bernabe Rodriguez confirmed there are no hour restrictions for private patio seating. Chair Lynch stated private patio seating can operate until the end of a 2AM license. Commissioner Allen suggested the applicant be very aware of their neighbors and be proactive of any possible issues. Junior Civil Engineer, Isabela De Moura Maia recommended the 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 and a 2AM license.



Existing All Forms Alcohol License
Public Sidewalk Seating

20. Galwegan Inc. d/b/a The Burren, 247 Elm St., requesting approval of a Public Sidewalk Seating License.

Outdoor Public Sidewalk Seats: 30

(ALM23-000042)

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

Joanne Conroy appeared on behalf of The Burren. Chair Lynch asked why they had seats out already if they have not been approved for outdoor seating yet. Joanne Conroy clarified they have received approval in the past but have had issues getting the abutter notices out on time which is why they are appearing before the Commission again in search of approval. Junior Civil Engineer, Isabela De Moura Maia recommended the 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 Sidewalk Seating.

Existing Common Victualer License
Entertainment by Devices Indoors

21. 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.

The Commission continued the item to the September meeting.



Existing All Forms Alcohol License
Change of Manager and Change of Officers

22. Colwen Management d/b/a The Row Hotel, 360 Foley St., requesting approval of a Change of Manager and Change of Officers.

(ALM23-000060)

Current Manager: Benjamin Simon

Proposed Manager: Carol Fitzgerald

Current Directors/Officers/Partners/Trustees:

Leo Xarras - Chairman, CEO, Director

Julie Scott - President

Terrence Bickhardt - Treasurer

David Van Der Beken - Secretary

Christine Thomas - Director

Mark Schleicher - Director

Proposed Directors/Officers/Partners/Trustees:

Leo Xarras - Chairman, CEO, Director

Julie Scott - President

David Rebich - CFO

Terrence Bickhardt - Treasurer

David Van Der Beken - Secretary

Christine Thomas - Director

Mark Schleicher – Director

Attorney Jon Aieta appeared on behalf of Colwen Magament d/b/a The Row Hotel. Attorney Aieta stated the only changes would be the addition of David Rebich as an officer and the replacement of Benjamin Simon with Carol Fitzgerald as the manager of record. The Commission had no questions.

The Commission approved the application for a change of manger and change of officers.



Existing Common Victualer License
Change of DBA

23. Merlin Entertainments Group d/b/a **LEGOLAND Discovery Center Boston**, 598 Assembly Row, requesting approval of a change of DBA from **LEGOLAND Discovery Center Boston to Lego Discovery Center Boston**.
(ALM23-000054).

Rachel Meissner appeared on behalf of Lego Discovery Center Boston. Rachel stated that the change of DBA is due to a recent 12-million-dollar remodel to the location which included a brand change. The Commission had no questions.

The Commission approved this application for a Change of DBA.

NEW
All Forms 7 Day Alcohol License
Chapter 142, Acts of 2016 – Enhancement Area,
Common Victualer, Entertainment by Devices Indoors, Entertainment by Performers
Indoors, Entertainment by Patrons Indoors, Sunday Hours and 2 AM License.

24. AMF Bowling Center d/b/a Lucky Strike 325 Revolution Drive requesting approval of an All Forms 7 Day Alcohol License, Common Victualer License, Entertainment by Devices Indoors, Entertainment by Performers Indoors, Entertainment by Patrons Indoors, Sunday Hours and a 2 AM License.
Seating Capacity: 293
Hours of Operation for Food and Alcohol Service: Sun-Sat: 11:00am-2:00am
(AL23-000026)

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

Attorney Trisha Farnsworth and Ivy Hudson appeared on behalf of AMF Bowling Center Attorney Farnsworth stated AMF Bowling is purchasing Lucky Strike and all Lucky Strike locations in Massachusetts. They plan to take over the licenses and operate the same way. Attorney Farnsworth noted that the application they



submitted had a seating capacity of 293 but after filing other permits such as the food establishment permit, they stated they have a capacity of 377. Commissioner Allen stated that they reach out to the fire department to receive proper sign off regarding the seating capacity of 377. Commissioner Thomas asked if the other AMF Bowling owned locations operate the same way with multiple forms of entertainment. Attorney Farnsworth and Ivy Hudson both confirmed that the other locations operate in the same manner. Chair Lynch asked to clarify if this license is city owned and if that is the reason they are appearing before the Commission. Attorney Farnsworth confirmed that the reason they are applying for the license is because it is a city owned license and does not transfer with the purchase of the business. Commissioner Allen opened the public hearing. No members of the public spoke on this item. Commissioner Allen closed the public hearing.

The Commission approved this application for an All Forms 7 Day Alcohol License Chapter 142, Acts of 2016 – Enhancement Area, Common Victualler, Entertainment by Devices Indoors, Entertainment by Performers Indoors, Entertainment by Patrons Indoors, Sunday Hours and 2 AM License with the condition that they receive proper departmental approval for the updated seating capacity of 377 prior to the issuance of the license.

New
Common Victualler License

25. Moca's LLC d/b/a Big Belly Deli, 513B Medford St., requesting approval of a Common Victualler License.

Indoor Seats: 12

Hours of Operation: Sun- Sat: 9:00am-12:00am

(AL23-000027)

No representative appeared before the Commission.

The Commission continued the item to the September meeting.



New
Entertainment by Performers Indoors License and
Entertainment by Performers Outdoors License

26. Somerville Music Spaces LLC d/b/a Somerville Music Spaces, 1060 Broadway, requesting approval an Entertainment by Performers Indoors and Entertainment by Performers Outdoors License.
(AL23-000025)

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

Jessica Tybursky appeared on behalf of Somerville Music Spaces. Jessica stated the new space will be used to rent to musicians who would like to hold small concerts/recitals both indoors and outdoors on private property. Chair Lynch asked for more clarification about how the space will be rented out. Jessica clarified the outdoor space will only be given use to musicians who have rented the indoor space. Chair Lynch asked for confirmation that no alcohol is being looked for licensure. Jessica confirmed if anyone would like to get alcohol licensure, they would apply for a special alcohol license. Commissioner Allen asked if any amplification would be used on the premises. Jessica confirmed that no amplification would be used as their focus would be on classical music with acoustic instruments. Commissioner Allen clarified if they did want amplification, they would need to apply for an entertainment by devices license. Commissioner Allen 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 an Entertainment by Performers Indoors License and an Entertainment by Performers Outdoors License.



LATE ITEM
Existing Marijuana Establishment License
Change of D/B/A

27. Sira Naturals, Inc., 240 Elm St, requesting approval for a Change of D/B/A to Ayr.
(MEA23-000006)

Attorney Dwan Packnett appeared on behalf of Sira Naturals Inc. Attorney Packnett stated the reason for the change of DBA is that Sira Naturals, Inc. received an approval from the Cannabis Control Commission for a change of DBA on July 18, 2023, and are looking to align all their documentation to reflect the change of DBA. Chair Lynch asked if this was the only change they were looking to have. Attorney Packnett confirmed that there are no other changes being requested.

The Commission approved this application for a Change of DBA.

The meeting was adjourned at 7:30pm.