



**City of Somerville
Licensing Commission**

Regular Meeting

**Tuesday
February 20, 2024
6:00 p.m.**

City Council Chamber and Remote Participation

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 Commissioner Joseph Lynch at 6:03 p.m.

Attendance:

Chair Joseph Lynch – Present
Commissioner Christopher Allen – Present
Commissioner Jacques Thomas, Jr. – Present

Others present:

Michael Potere – Licensing Operations Manager; Timothy Mitsakis – Police Lieutenant; Darrell Richardson – Fire Lieutenant.

Communications

1. Minutes of the Special Licensing Commission Meeting of 11/17/2023.
Continued from 1/16/2024 Licensing Commission Meeting.

The Commission approved the Minutes.

2. Minutes of the Regular Licensing Commission Meeting of 1/16/2024.

The Commission approved the Minutes.



3. 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, 7/17/23, 8/21/23, 9/25/23 and 11/13/23 Licensing Commission Meetings.

Commissioner Lynch noted that the zoning variance for the new applicant has been granted and that their license application for this private license is expected shortly.

The Licensing Commission placed this Item on file.

4. Communication from Attorney General Office, Municipal Law Unit (MLU) to inform the city establishments where defendants convicted of operating under the influence say they were served alcohol before being arrested.

<u>Case ID</u>	<u>Docket</u>	<u>Name of Business</u>	<u>Address</u>	<u>Date of Offense</u>	<u>Citation</u>
32942913	2101CR003092	Oliveiras Steak House	120 Washington St	06/05/2021	060850AB
33795665	2201CR002021	The Jungle	6 Sanborn CT	07/01/2022	500018AB
34004902	2247CR000893	The Burren	247 Elm St.	08/20/2022	T3022140
34182057	2251CR001053	Samba Bar & Grill	608 SOMERVILLE AVE	10/10/2022	NONE
34397818	2252CR001575	The Burren	247 Elm St.	12/23/2022	732794AB
34403945	2252CR001580	Outback Steakhouse	625 Grand Union Blvd	12/24/2022	T2652080
34737447	2352CR000466	Sarma Restaurant	249 Pearl St.	04/21/2023	931031AB

Commissioner Lynch stated that the Commission will await further information from the Massachusetts Attorney General's Office (AGO), if any, and expressed disappointment that some of the City's licensees appear on this list. Commissioner Thomas asked if this list reflects the most recent data from the AGO, and Manager Potere replied that it contains records collected by the AGO from October 2022 through September 2023.

The Licensing Commission placed this Item on file.



Special Alcohol Licenses

5. St. Anthony Parish, 12 Properzi Way Somerville, requesting the approval of a Special Alcohol License for Noite Sertaneja, to be held indoors at 12 Properzi Way Somerville, on 3/2/24 from 8:00pm-1:00am (Alcohol Service).
(PEL24-000004)

The applicant, Raphael Lakes, appeared before the Commission. Commissioner Lynch asked how many people would be attending this event, and Lakes replied approximately 150. Commissioner Allen asked if there would be ID checks and if the alcohol for the event would be purchased from an authorized distributor, and Lakes confirmed both.

Lieutenant Richardson noted for the record that this application was approved by the Fire Department with the condition that the applicant provide fire detail on scene due to the number of people attending the event. Commissioner Lynch asked if a Somerville Police Department detail was also required, and Lakes replied that such detail has already been requested.

The Licensing Commission approved this license with the condition that the applicant has fire detail on scene during the event.

Existing All Forms Alcohol License **Change of License Classification & Change of Hours**

6. Kongdog Somerville Inc d/b/a Kong Dog Somerville, 236 Elm Street Somerville, requesting approval of Change of Classification and Change of Hours.
Current Classification: Wine and Malt
Proposed Classification: All Forms
Current Hours: Mon-Sun: 11am-10pm
Proposed Hours: Mon-Sun: 11:30am-11:30pm
(AL23-000033)

Attorney Dennis Quilty appeared on behalf of the applicant, Julia Kang, who was also in attendance. Attorney Quilty stated that the applicant is requesting a classification change because it is a Korean specialty restaurant that would like to serve a specific type of Korean alcohol, soju; they are also requesting a slight change of hours. Commissioner Lynch confirmed with Attorney Quilty that the applicant has been conducting business for 18 months with no infractions.



Commissioner Lynch opened the public hearing. No members of the public offered comments on this Item. Commissioner Lynch closed the public hearing.

The Licensing Commission approved the requested changes to the applicant's license.

Existing All Forms Alcohol License
Entertainment by Performers Indoors

7. Flatbread Somerville Inc d/b/a Flatbread Company, 45 Day St Somerville, requesting approval of an Entertainment by Performers Indoors License.
(ALM23-000076)

James Harrison, the applicant, appeared before the Commission and stated that the purpose of the requested change is to accommodate requests the business has been receiving to host weddings with live music. Commissioner Allen asked if the applicant already has entertainment devices on the premises, and Harrison confirmed that it does. Commissioner Allen asked if the live entertainment would be acoustic or amplified, and Harrison replied that it would likely be both, but that the location of the proposed stage would be away from locations that might disturb neighbors, and that they have already spoken to neighboring residents. Commissioner Lynch asked if abutter notifications had been sent, and Manager Potere confirmed that they were. Commissioner Lynch noted for the record that Councilor Lance Davis has no objection to this application.

Commissioner Lynch opened the public hearing. No members of the public offered comments on this Item. Commissioner Lynch closed the public hearing.

The Licensing Commission approved the requested change to the applicant's license.



Existing All Forms Alcohol License
Change of Hours & Change of Entertainment by Devices Indoors

8. New England Neapolitan Assembly Row LLC d/b/a Salt and Stone, 463 Assembly Row Somerville, requesting approval of a Change of Hours and Change of Entertainment by Devices Indoors.

Current Hours: Sun-Thurs: 11am-10pm
Fri-Sat: 11am-11pm
(Indoor Food and Alcohol Service)

Proposed Hours: Mon-Thurs: 11:30am-12am
Fri: 11:30am-1am
Sat: 10am-1am
Sun: 10am-12am
(Indoor and Outdoor Alcohol Service)

Proposed Hours: Mon-Fri: 11:30am-10pm
Sat-Sun: 10am-10pm
(Indoor and Outdoor Food Service)

Current Entertainment by Devices Indoors: 3 Televisions, 1 Audio Systems

Proposed Entertainment by Devices Indoors: 5 Televisions, 8 Audio Systems
(ALM24-000005)

Sean Olson, the applicant, appeared before the Commission. Olson indicated that they wanted to amend their request for:

Proposed Indoor and Outdoor Alcohol Service to:

Mon-Fri: 11:30am-12:00am

Sat-Sun: 10:00am-12:00am

Olson also noted that there was a typo on their application and that they are not requesting any additional Audio Systems. As such, their Proposed Entertainment by Devices Indoors request is: 5 Televisions, 1 Audio System.

Commissioner Thomas expressed support for the applicant and praised their business.

Commissioner Lynch opened the public hearing. No members of the public offered comments on this Item. Commissioner Lynch closed the public hearing.

The Licensing Commission approved the following changes to the applicant's license:

Indoor and Outdoor Alcohol Service:



**Mon-Fri: 11:30am-12:00am
Sat-Sun: 10:00am-12:00am**

**Indoor and Outdoor Food Service:
Mon-Fri: 11:30am-10:00pm
Sat-Sun: 10am-10pm**

Entertainment by Devices Indoors: 5 Televisions, 1 Audio System.

**Existing Common Victualer License
Change of Manager & Change of Hours**

9. Star Markets Company Inc d/b/a Starbucks Kiosk at Star #3580, 22A McGrath Hwy Somerville, requesting approval of Change of Manager and Change of Hours.
Current Manager: Franco Di Agostino
Proposed Manager: Carlos Minueza
Current Hours: Mon-Sun: 6am-8pm
Proposed Hours: Mon-Sun: 7am-9pm
(ALM23-000086)
Continued from 1/16/2024 Licensing Commission Meeting.

No representative for the applicant appeared before the Commission. Commissioner Lynch stated for the record that, in the future, Items before the Commission will be voted on as not approved when the applicant fails to appear after two continuations.

The Licensing Commission continued this Item to the March 2024 Licensing Commission meeting.

**Existing Common Victualer License
Entertainment by Devices Indoors**

10. Yusel-Berti Inc d/b/a Istanbul'Lu, 237 Holland St Somerville, requesting approval of an Entertainment by Devices Indoors License.
(ALM24-000001)

Huseyin Akgun, the applicant, appeared before the Commission. Akgun stated the requested change is for the installation of a CD player. Commissioner Lynch asked who would be controlling the device, and Akgun replied that it would be controlled by employees of the restaurant. Commissioner Thomas asked if the applicant's neighbors had been notified of this requested change, and Manager Potere replied that they were.

Commissioner Lynch opened the public hearing. No members of the public offered comments on this Item. Commissioner Lynch closed the public hearing.



The Licensing Commission approved the requested change to the applicant's license.

11. Merlin Entertainment Group d/b/a Lego Discovery Center Boston, 598 Assembly Row #302 Somerville, requesting approval of an Entertainment by Devices Indoors License.
(ALM23-000054)

Continued from 9/25/2023 and 10/23/2023 Licensing Commission Meetings.

No representative for the applicant appeared before the Commission. Commissioner Lynch again stated for the record that, in the future, Items before the Commission will be voted on as not approved when the applicant fails to appear after two continuations.

The Licensing Commission continued this Item to the March 2024 Licensing Commission meeting.

Transfer of License

All Forms 7 Day Restaurant License-Private

Common Victualer, Entertainment by Devices & Performers Indoors, Sunday Hours

12. Na Perleras LLC d/b/a El Jalisco Mexican Grill & Bar, 145 Broadway Somerville, requesting approval of the Transfer of an All Forms 7 Day Restaurant Alcohol License from B.E.E.F. Inc d/b/a Fasika, and a Common Victualer License, Entertainment by Devices & Performers Indoors, and Sunday Hours License.
Indoor Seats: 50
Hours of Operation (Food & Alcohol Service): Mon-Sun: 11am-1am
(AL23-000044)

Attorney Steven Cikatelli appeared on behalf of the applicant, Nelson Perlara, who was also present. Attorney Cikatelli stated that the applicant has experience in the restaurant industry and formerly operated a location in Beverly, which is now run by his daughter. Attorney Cikatelli continued that the applicant has also purchased the property on which the restaurant will operate, and that the style of the restaurant will be Mexican and will have a seating capacity of 50. Attorney Cikatelli concluded by stating that the applicant has been in the food business since 2012 and is ServSafe and TIPS certified. Commissioner Lynch asked if the applicant has had any violations with the Massachusetts Alcoholic Beverages Control Commission (ABCC), and the applicant stated they have not. Commissioner Thomas asked about accessibility and if the applicant had tables dedicated to wheelchairs, and the applicant confirmed that they do. Commissioner Allen asked when the business would open if the license is approved, and the applicant replied that most of the inspections had been completed and they expect to open soon after the license is issued. Lieutenant Richardson noted for the record that neither the previous owner nor the current tenant/applicant had any issues with fire inspections.



Commissioner Lynch opened the public hearing. No members of the public offered comments on this Item. Commissioner Lynch closed the public hearing.

The Licensing Commission approved this license transfer.

Late Item
Special Alcohol License

13. Warehouse Xi, 11 Sanborn Ct Somerville, requesting the approval of a Special Alcohol License for Warehouse Sessions, to be held indoors at 11 Sanborn Ct Somerville, on 2/23/24, 3/2/24, 3/8/24, 3/9/24, 3/13/24-3/16/24 from 7:30pm-11:00pm (Alcohol Service).
(PEL24-000013)

No representative for the applicant appeared before the Commission. Commissioner Lynch noted for the record that this Item could not be continued to the March 19, 2024 Licensing Commission meeting because the dates requested therein are scheduled to occur before that meeting. Commissioner Lynch called a vote on this Item and all three Commissioners voted not to approve it.

The Licensing Commission did not approve this license.

The meeting was adjourned at 6:43 p.m.