



**City of Somerville
Licensing Commission**

Regular Meeting

**Tuesday
October 22, 2024
6:00 p.m.**

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The meeting was called to order by Chair Joseph Lynch at 6:01 p.m. and adjourned at 7:37 p.m.

Attendance:

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

Others present:

Michael Potere – Licensing Operations Manager; Captain Darrell Richardson – Somerville Fire Department; Lieutenant Timothy Mitsakis – Somerville Police Department; Brian Postlewaite – Director of Engineering.

Communications

1. Minutes of the Regular Licensing Commission Meeting of 09/17/2024.

The Licensing Commission approved the minutes.

2. Communication from the Alcoholic Beverages Control Commission (ABCC) accepting the Offer in Compromise in Lieu of Suspension from Galwegan Inc., d/b/a The Burren, and rescinding the previously issued 10-day suspension.

The Licensing Commission placed this item on file.



3. Communication from the Alcoholic Beverages Control Commission (ABCC) advisory regarding non-consensual drugging occurring at bars, clubs, and other licensed premises.

The Licensing Commission placed this item on file.

4. Communication from the Chair and City Clerk's Office reminding the appropriate licensees of the end of the outdoor dining season.

Chair Lynch noted that all public outdoor seating must be deconstructed by November 30, 2024.

The Licensing Commission placed this item on file.

5. List of Restaurants and Clubs that have not renewed their alcohol license for 2024 due to failure to obtain a 304 Certificate of Inspection:

License#	Business Name	Address	License Type
AL17-000080	Alpine Restaurant Group Inc d/b/a Pizzeria Posto	187 Elm Street	All Forms (Restaurant)
AL17-000339	Genki Investment & Development Inc d/b/a Genki Ya of Somerville	246 Elm Street	All Forms (Restaurant)
AL22-000021	Lion Rock LLC d/b/a Saigon Tiger	7 Holland Street	All Forms (Restaurant)
AL17-000186	KFSS Corp d/b/a The Kebab Factory	414 Washington Street	Wine and Malt (Restaurant)
AL17-000017	Somerville Sports Club Inc d/b/a Somerville Sports Club	203 Somerville Avenue	All Forms (Club)
AL17-000025	Somerville City Club Inc d/b/a Somerville City Club	20 Inner Belt Road	All Forms (Club)

Continued from the 9/17/24 Licensing Commission meeting.

Manager Potere noted that the licensees listed in this item have been responsive to the City Clerk's Office in completing this process.

The Licensing Commission placed this item on file.



Status Report

6. Commission requesting a status report on the use of All Forms Alcohol License:

License #	Business Name	Address	License Type	Category
AL17-000326	Teele Square Café d/b/a The Basement	1133B Broadway	All Forms	Private

Continued from the 5/16/22, 3/20/23, 9/25/23, 11/13/23, 1/16/24, 4/16/24, 7/16/2024 Licensing Commission meetings.

Attorney Tyler Hensler appeared before the Commission on behalf of the licensee and requested an additional three-month continuance so the licensee could continue looking for another retail space, and stated that at the end of three months, the licensee would either come back to the Commission with concrete plans, or else return the license to the city.

Chair Lynch stated that this item has been on the agenda for over two years, and indicated a preference for a one-month continuance, and that if no progress is made by the November meeting, steps would be taken to revoke the license. Attorney Hensler replied that they did not think that would be enough time to secure real estate for their client's restaurant.

Chair Lynch noted for the record that the license is private and could be sold.

Commissioner Allen recommended continuing the item one final time to the January 2025 meeting, and requested documentation showing some movement in the process, or else the process to revoke the license would begin, and to which Chair Lynch agreed.

The Licensing Commission continued this item to the January 2025 Licensing Commission meeting.

Special Alcohol Licenses

7. Warehouse XI, 11 Sanborn Court, requesting approval of a Special Alcohol License for Music Sessions at Warehouse XI, to be held indoors at 11 Sanborn Court, on 10/25/24, 10/26/24, 10/27/24, 10/28/24, 10/31/24, 11/01/24, 11/02/24, 11/05/24, 11/07/24, 11/08/24, 11/09/24, 11/13/24, 11/14/24, 11/15/24, 11/16/24, 11/18/24 from 7pm-11pm. (Alcohol Service) (PEL24-000245)



Peggy Morrissey, the applicant, appeared before the Commission and stated that these events are run by Berkeley students, and that this is a series of concerts, those of which that will have alcohol are listed in this item. Commissioner Allen asked if the alcohol would be purchased from an authorized source, which Morrissey confirmed.

The Licensing Commission approved this Special Alcohol License.

8. Forge Baking Company, 626 Somerville Avenue, requesting approval of a Special Alcohol License for Rehearsal Dinner, to be held indoors at 626 Somerville Avenue, on 11/01/24 from 6pm-9pm. (Alcohol Service)
(PEL24-000242)

Henry MacDonald, the applicant, appeared before the Commission and stated that: this license is for a private event renting out their space, they will have TIPS certified staff and be checking IDs, and they are purchasing their alcohol from an approved vendor. The Commissioners asked no additional questions.

The Licensing Commission approved this Special Alcohol License.

9. Boston Bouldering Project, 12A Tyler Street, requesting approval of a Special Alcohol License for Boulderfest, to be held indoors at 12A Tyler Street, on 11/09/24 from 4pm-8pm. (Alcohol Service)
(PEL24-000237)

Liz Joyce Zabatta, the applicant, appeared before the Commission and explained that this event is similar to one previously approved and held by them earlier this year. Zabatta continued that Aeronaut Brewing would again provide the alcohol, and that their staff would be checking IDs and wristbanding.

Chair Lynch asked how many people would be attending, and Zabatta replied around 700. In response, Lieutenant Mitsakis recommended adding another police officer to the detail, bringing the total to two officers. Zabatta confirmed they would coordinate the additional detail.

The Licensing Commission approved this Special Alcohol License, conditioned on obtaining a police detail comprised of two officers.

10. St Anthony Parish, 12 Properzi Way, requesting approval of a Special Alcohol License for Reveillon 2025, to be held indoors at 12 Properzi Way, on 12/31/24 from 8pm-12:30am. (Alcohol Service)
(PEL24-000232)



Raphael Alves, the applicant, appeared before the Commission and stated this is the same party they have done annually, that this year they expect 150 people, and that they will be serving just beer purchased by an authorized distributor, checking IDs, and wristbanding.

Chair Lynch asked Lieutenant Mitsakis if there might be an issue with 150 people, who responded that since a detail was not required in the past and there were no issues, none would be required now.

The Licensing Commission approved this Special Alcohol License.

11. Nicholas McGriff, 11 Sanborn Court, requesting approval of a Special Alcohol License for Nicholas & Jenna's Wedding Reception, to be held indoors at Warehouse XI, 11 Sanborn Court, on 01/18/25 from 5:30pm-10:30pm.
(Alcohol Service)
(PEL24-000222)

Nicholas McGriff, the applicant, appeared before the Commission and stated this application is for their wedding, that they are expecting around 120 attendees, and that they are hiring TIPS certified bartenders and purchasing their alcohol through approved vendors. The Commissioners asked no additional questions.

The Licensing Commission approved this Special Alcohol License.

Special Farmer Winery Licenses

12. House Bear Brewing, 3 Graf Road Newburyport, requesting approval of a Special Farmer Winery License for Somerville Winter Farmers Market, to be held indoors at 191 Highland Ave, on every Saturday from 11/02/24 to 04/05/25 from 9:30am-1pm.
(Alcohol Service)
(SFW24-000006)

Beth Borges, the applicant, appeared before the Commission and stated that this is their fifth time participating in this event in Somerville farmers markets. Chair Lynch asked if there are any changes for this year, and Borges said there are not.

The Licensing Commission approved this Special Farmer Winery License.

13. Blisspoint Meadery, 1 Fox Run Road Bedford, requesting approval of a Special Farmer Winery License for Somerville Winter Farmers Market, to be held indoors at 191 Highland Ave, on every Saturday from 11/02/24 to 04/12/25 from 9:30am-1:30pm.
(Alcohol Service)
(SFW24-000005)



Jeff Venuti, the applicant, appeared before the Commission and explained that they have participated in farmers markets in Somerville in the past. Commissioner Allen asked if they have had any issues at any of their events, and Venuti stated they have not.

The Licensing Commission approved this Special Farmer Winery License.

Existing Common Victualer License
Change of DBA

14. Crave & Co INC d/b/a Crave & Co Cafe, 198 Holland Street Somerville, requesting approval of a change of DBA name.
Current DBA Name: Crave & Co Cafe
Proposed DBA Name: Basma
(ALM24-000046)

Ayman Noufal, the applicant, appeared before the Commission and stated this name change request is based on a legal issue, and the name itself means “smile” in Arabic. Chair Lynch asked if a corresponding change was made at the state level, which Noufal confirmed. The Commissioners asked no additional questions.

The Licensing Commission approved this Change of DBA license amendment.

Existing Package Store License
Alteration of Premises

15. Kajal and Kevin II LLC d/b/a Liquor Junction, 14 McGrath Highway Somerville, requesting approval of an Alteration of Premises.
Current square footage: 5,372
Proposed square footage: 11,834
(ALM24-000035)

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 applicant and owner, Ketul Patel, who was also present, and stated the applicant has no violations and is seeking to expand their retail space. Attorney Vigorito added that Ward Two Councilor J.T. Scott has expressed support for this application.

Chair Lynch asked if any written comments have been submitted for this item, and Manager Potere replied that there were not.



Captain Richardson stated that the expansion may warrant changes to the sprinkler and alarm system, and that he would communicate any required changes during final inspection.

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

The Licensing Commission approved this Alteration of Premises license amendment.

Existing Alcohol License

Transfer of Stock, Change of Ownership Interest, and Change of Directors/Officers

16. RCSH Operations INC d/b/a Ruth's Chris Steak House, 375 Revolution Drive Somerville, requesting approval of a Transfer of Stock, Change of Ownership Interest, and Change of Directors/Officers.
(ALM24-000044)

Current Officers/Directors and Stock Interest:

Current Officers/Directors	Current Title/Position	Current Percentage of Ownership
Ruth's Hospitality Group, Inc.	Shareholder	100%
Cheryl J. Henry	President and Director	0%
Ame G. Hack	Treasurer & Director	0%
Alice G. Givens	Secretary & Director	0%

Proposed Officers/Directors and Stock Interest:

Proposed Officers/Directors	Proposed Title/Position	Proposed Percentage of Ownership
Darden Restaurant's Inc.	Shareholder	100%
Erik M. Jenkins	President and Director	0%
Lindsay L. Koren	Treasurer	0%
Colleen H. Lyons	Secretary	0%
Angela M. Simmons	Vice President and Director	0%

Attorney Elizabeth Pisano appeared on behalf of the applicant, and stated this is a change of ownership and officers at the parent level, but that everything else is remaining the same.

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



The Licensing Commission approved this Transfer of Stock, Change of Ownership Interest, and Change of Directors/Officers license amendment.

New
Adult-Use Marijuana Retail Establishment License, Group A

17. Core Empowerment LLC d/b/a Seed, 500 Medford Street Somerville, requesting approval of an Adult-Use Marijuana Retail Establishment License.
Hours of Operation:
Mon-Sun: 10am-10pm
(ME22-000007)

Attorneys Mike Ross and Maggie Roberts appeared before the Commission on behalf of the applicants, Kristen Picard and Lijuan Toma, who were also present. Attorney Ross began by presenting slides, which are included in the publicly available revised meeting materials. This presentation and accompanying materials include several detailed floor plans of the proposed retail establishment.

Chair Lynch asked if the applicant has a Host Community Agreement with the city, and Manager Potere confirmed that they do, and that it was recently revised based on changes in state law.

Chair Lynch asked where deliveries would take place, and Attorney Roberts stated they would be on Medford Street in front of the store in a loading zone, and that there is no back entrance. Attorney Roberts also stated that there is a basement, but it will not be used and that the safe will be on the ground floor.

Chair Lynch asked if the real estate would be leased or owned, and Attorney Roberts stated it would be leased and that the lease has already started.

Chair Lynch and Commissioner Allen asked about security, and Attorney Ross stated that: only one or two customers would be permitted at a time, the front windows are shaded, the employees work behind a counter with access to panic buttons, there is an extensive indoor and outdoor video security system, approved armored transportation for product and cash has been coordinated, the safe is securely constructed, staff will be trained in security but unarmed, and staff will maintain a presence at the store entrance.

Chair Lynch asked about sales, and Attorney Ross said it would be difficult to speculate but estimated annual revenue of \$1-2 million.

Chair Lynch asked about traffic, and Attorney Ross stated that a traffic study was conducted for their zoning variance application, and that an appointment-only condition



was imposed by the Zoning Board. In response, Chair Lynch stated that an appointment-only condition would not be required for this applicant from the Licensing Commission.

Commissioner Allen asked about the applicant's community outreach, and Attorney Ross stated they engaged in the requisite meetings in March, April, and July, and that a handful of residents appeared at each, most supporting the retailer, with only two expressing some concerns, which Attorney Ross believes were sufficiently addressed. Attorney Ross noted that Ward Five City Councilor Sait neither supports nor opposes this application.

Commissioner Allen asked about warning customers that public consumption is not legal, and Attorney Ross stated that they would make such a warning, as well as that they are able to ban customers who observe engaging in that conduct.

Commissioner Allen asked about the hiring of Somerville residents, and Attorney Ross said they have a strong record of hiring locally in their stores in other communities, and that here they plan to hire at least 30% Somerville residents.

Chair Lynch stated a preference to continue this item until the November Licensing Commission meeting to further consider the applicant's: Host Community Agreement, presentation slides, and community outreach video recording. Chair Lynch also noted the absence of Commissioner Thomas as a factor for this preference.

Chair Lynch also noted an initial concern for additional traffic in the area because of this establishment, but that the appointment-only requirement on the applicant's zoning permit has alleviated that concern.

Chair Lynch asked if any written public comments were submitted on this item, and Manager Potere confirmed there were none.

Chair Lynch opened the public hearing. No members of the public offered comments on this item. Chair Lynch closed the public hearing.

Captain Richardson stated for the record that the applicant's sprinkler and fire alarm systems will need to be evaluated before commencing operations.

The Licensing Commission continued this item to the November 19, 2024 Licensing Commission meeting.



New
Common Victualer License

18. Golden Sun Enterprise INC d/b/a Sora Japan, 509 Broadway Somerville, requesting approval of a Common Victualer License.

Hours of Operation:

Mon-Sun: 11am-11pm

Indoor Seats: 12

(AL24-000024)

Jackie Wang, the applicant, appeared before the Commission and stated that this location will be primarily takeout and delivery but will also have a few seats. The Commissioners asked no additional questions.

The Licensing Commission approved this application for a Common Victualer license.

New
Common Victualer and Entertainment by Devices Indoors License

19. AYT Foods LLC d/b/a The Blue Elephant, 719 Broadway Somerville, requesting approval of a Common Victualer and Entertainment by Devices Indoors License.

Hours of Operation:

Mon-Fri: 11am-3pm, 4:30pm-9:30pm; Sat-Sun: 11:30am-9:30pm

Indoor Seats: 44

(AL24-000023)

Alvin Pratama, the applicant, appeared before the Commission and stated they are taking over the space previously occupied by the House of Kebab.

Commissioner Allen asked the applicant to describe the entertainment by devices, and Pratama replied that it would be background music played through speakers.

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

The Licensing Commission approved this application for a Common Victualer License and Entertainment by Devices Indoors License.



New
All Forms 7 Day Restaurant License
Common Victualer, Entertainment by Devices and Performers Indoors and Outdoors,
Sunday Hours, Outdoor Public Sidewalk and Parklet Seating, and 2am License

20. H and P Restaurant Group LLC d/b/a Gauchao Brazilian Cuisine, 102 Broadway Somerville, requesting approval of an All Forms 7 Day Restaurant License, Common Victualer, Entertainment by Devices and Performers Indoors and Outdoors, Outdoor Public Sidewalk and Parklet Seating, and 2am License.
Hours of Operation: Indoor (Food and Alcohol Service)
Sun-Thurs: 10am-1am, Fri-Sat: 10am-2am
Hours of Operation: Outdoor (Food and Alcohol Service)
Mon-Sun: 10am-10pm
Indoor Seats: 152
Outdoor Public Sidewalk Seats: 10
Outdoor Public Parklet Seats: 48
(AL24-000025)

Attorney Anne Vigorito appeared on behalf of the applicants, Benjamin Argueta and Tony Figueroa, who were also present, and stated that this application reflects a sale of the business where no changes will be made whatsoever, including to: hours, menu, seating, and alcohol service. Attorney Vigorito continued that the new owners are previous employees of the business and know it well, and that the proposed manager has been working there for 20 years. Attorney Vigorito stated that all staff are TIPS certified, and that the business has no recorded violations.

Commissioner Allen asked about the policy regarding 2:00 a.m. alcohol service, and Chair Lynch stated that granting that license is discretionary, but that in this case the applicant's business has already been operating with a 2:00 a.m. license with no violations, and that he would not object to allowing that to continue.

Director Postlewaite stated that the applicant's outdoor seating layout is unchanged, and that it is recommended for approval.

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

The Licensing Commission approved this application for an All Forms 7 Day Restaurant License, Common Victualer License, Entertainment by Devices and Performers (Indoors and Outdoors) License, Sunday Hours License, Outdoor Public Sidewalk and Parklet Seating License, and 2:00 a.m. License.



Late Items

21. Somerville Historic Society, 1 Westwood Road Somerville, requesting approval of a Special Alcohol License for Art of the Festival opening reception, to be held indoors at 1 Westwood Road, on 01/16/2025 from 6pm-8pm. (Alcohol Service)
(PEL24-000246)

Laidy Saenz, the applicant, appeared before the Commission and stated that this event takes place as a part of a three-month exhibition in the Somerville Museum featuring art, photographs, and cultural artifacts. Saenz stated that they would have TIPS certified bartenders, purchase from authorized vendors, and have a turnout of between 40 and 70 people. The Commissioners asked no additional questions.

The Licensing Commission approved this Special Alcohol License.

22. Downeast Cider House, 256 Marginal Street Boston, requesting approval of a Special Alcohol License for Downeast @ Assembly Row by Club VOLO, to be held outdoors at The Park at Assembly Row, on 10/30/2024 through 11/27/2024 from 11am-11pm. (Alcohol Service)
(PEL24-000248)

Roisin Gilligan, the applicant, appeared before the Commission and explained that this application is to continue their operation of a cider pop up stand in Assembly Square, and that this would be their last application in 2024. The Commissioners asked no additional questions.

The Licensing Commission approved this Special Alcohol License.