2024 Minutes of the Somerville Licensing Commission

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City of Somerville Licensing Commission

Regular Meeting

Tuesday January 16, 2024 6:00 p.m.

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.

<u>Attendance</u>: Chair Joseph Lynch – Present Commissioner Christopher Allen – Present Commissioner Jacques Thomas, Jr. – Absent

<u>Others present</u>: Bernabe Rodriguez – Assistant City Clerk; Timothy Mitsakis – Police Lieutenant; Timothy Bakey – Fire Captain.

Communications

1. Minutes of the Regular Licensing Commission Meeting of 11/13/2023.

The Commission approved the Minutes.

2. Minutes of the Special Meeting Licensing Commission Meeting of 11/17/2023.

The Commission continued to the February 2024 Licensing Commission meeting.

3. Communication from the Alcoholic Beverages Control Commission regarding an upcoming violation hearing for Galwegan Inc d/b/a The Burren, 247 Elm St, Somerville.

The Commission placed this Item on file.



Status Reports

4. Licensing 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 Inc. 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 Licensing Commission meetings.

Attorney Tyler Henesler spoke on behalf of the applicant and indicated that the delay in opening the venue was due to a construction issue regarding ADA compliance, and requested additional time from the Commission. Commissioner Lynch expressed concern over the continued delays and the feeling that the license is "pocketed."

The Licensing Commission continued this Item until the April 2024 Licensing Commission meeting.

Special Alcohol Licenses

 Tulum Mexican Cuisine, 3 Washington St Somerville, requesting the approval of a Special Alcohol License for Tulum Mexican Cuisine Inauguration to be held indoors at 3 Washington Street Somerville, on 1/18/24-1/20/24 from 4pm-10:30pm (Alcohol Service). (PEL23-000226)

Abner Gonzalez, the applicant, stated that this license would allow him to have a grand opening for his new restaurant and to serve alcohol for a limited time before its full liquor license is finalized and issued by the Massachusetts Alcoholic Beverages Control Commission (ABCC). Commissioner Allen asked if the alcohol was being purchased through a distributor and if the employees are TIPS certified, and Gonzalez replied in the affirmative.

The Licensing Commission approved this license.

 Rococo Floral Co, 231 Somerville Ave Somerville, requesting the approval of a Special Alcohol License for Rococo Floral Co's Grand Opening, to be held indoors at 231 Somerville Ave Somerville, on 1/26/24 from 4:00pm-9:00pm (Alcohol Service). (PEL23-000223)

Julia Conrad stated that this license is for their business to have a grand opening event. Commissioner Allen asked if the drinks would be complimentary, and Conrad stated they would be. Commissioner Lynch asked where the applicant was purchasing the alcohol,



and Conrad replied from a liquor store. Commissioner Lynch replied that the applicant must obtain the alcohol from an approved distributor, and stated that doing so would be a condition for approving this license.

Captain Bakey from the Fire Department stated that the application indicates a maximum number of attendees at 70, but the maximum capacity of the venue is 40. Conrad stated that they understand that they would not be allowed to have more than 40 attendees at one time, and Commissioner Lynch stated that keeping the attendance at or below 40 people is a condition for granting the license.

The Licensing Commission approved this license with the conditions that the applicant purchase the alcohol from an approved distributor and that attendance is capped at 40 people at any one time.

 LEGO Discover Center Boston, 598 Assembly Row Somerville, requesting the approval of a Special Alcohol License for LEGO Discovery Center Boston Adult Nights, to be held indoors at 598 Assembly Row Somerville, on 2/14/24, 3/13/24, 4/10/24, 5/8/24, 6/12/24, 7/10/24, 8/14/24, 9/11/24, 10/9/24, 11/13/24, 12/11/24 from 7:00pm-9:30pm (Alcohol Service). (PEL23-000224)

Cecilia Hennessy stated that the applicant is requesting this license to serve alcohol at Lego's planned Adult Nights, and added that the company has been hosting these events for several years now. Hennessy continued that the alcohol is served by local breweries, who come to the events to do their own sales.

The Licensing Commission approved this license.

Existing Marijuana Establishment License Change of Hours

 Advesa MA Inc d/b/a Blue River Terps, 692 Broadway Somerville, requesting approval of a Change of Hours.
 Current Hours: Mon-Sat: 10am-8pm, Sun: 11am-8pm.
 Proposed Hours: Mon-Fri: 12pm-11pm, Sat: 9am-11pm, Sun: 10am-11pm. (MEA24-000001)

Michael Latulippe spoke on behalf of the applicant, and stated that the business recently opened on December 19, 2023. Commissioner Lynch noted for the record that the City Councilor for the applicant's ward recently changed and that the business should reach out to them.



The Licensing Commission approved this change.

Existing Package Store All Forms License Change of Stock Interest, Change of Manager, and Change of Officers/Directors

9. Joe's Liquor Inc d/b/a Joe, 168-172 Broadway Somerville, requesting approval of a Change of Stock Interest, Change of Manager, and Change of Officers/Directors.
Current Manager: Paul S. Robichaud.
Proposed Manager: Colleen Mountzouros.
Current Officers/Directors: Gail E. Robichaud.
Proposed Officers/Directors: Paul J. Robichaud and Colleen Mountzouros.
Current Stock Interest: Gail E. Robichaud (100%).
Proposed Stock Interest: Paul J. Robichaud (50%) and Colleen Mountzouros (50%).
(ALM23-000079)

Colleen Mountzouros stated that the changes for the license are due to the passing of her father last year. Mountzouros continued that the store has been in operation for 27 years and that she and her brother, Paul J. Robichaud, have been involved in its day-to-day operations for most of their lives.

Chair Lynch stated for the record that this license change received a letter of support from the East Somerville Main Streets organization.

Commissioner Lynch opened the public hearing. Ward 1 City Councilor Matt McLaughlin spoke in strong support of this license change. Commissioner Lynch closed the public hearing.

The Licensing Commission approved these changes.

Existing All Forms Alcohol License Change of Corporate Structure

 Earl's Restaurant (Somerville, MA) d/b/a Earl's Kitchen and Bar, 698 Assembly Row Somerville, requesting approval of Change of Officers/Directors and Change of Manager. Current Manager: Kenneth Jimenez.

Proposed Manager: Wesley Zamir Zambrano Cevallos.

Current Officers/Directors: Stanley Fuller, Kenneth Jimenez, and Earl's Restaurants USA Inc. Proposed Officers/Directors: Stanley Fuller, Delane Diseko, and Earl's Restaurants USA Inc. (ALM23-000084)



Trish Farnsworth spoke on behalf of the applicant, who stated that the previous manager, Kenneth Jimenez resigned, leaving an opening for Manager and among the business's Directors, the former being filled by Wesley Cevallos and the latter by Delane Diseko. Farnsworth added that Cevallos has been with Earl's since 2017 and has the experience to be an effective manager.

The Licensing Commission approved this change.

Existing All Forms Alcohol License Change of Manager

11. River Bar LLC d/b/a River Bar, 661 Assembly Row Somerville, requesting approval of a Change of Manager.
Current Manager: Geoffrey Arvanitis.
Dremesed Manager: Jackies Drivestte

Proposed Manager: Jessica Brissette. (ALM23-000080)

Jessica Brissette stated that they would become the new Manager after the previous Manager was let go. Commissioner Lynch asked if the applicant was aware of any pending hearings before the ABCC, and Brissette replied that they were not. Commissioner Allen asked if the applicant has personally had any issues with their local licensing authority or the ABCC, and Brissette replied that they have not. Commissioner Allen asked how long the applicant has been working in the hospitality industry, and Brissette replied more than 20 years.

The Licensing Commission approved this change.

12. LSF Legal on the Mystic LLC d/b/a Legal on the Mystic, 301 Great River Rd Somerville, requesting approval of a Change of Manager. Current Manager: Alicia P. Yates. Proposed Manager: Philip M. Steele. (ALM23-000083)

Donna Cruz stated that the Current Manager was transferred to another location. Commissioner Allen asked how long the Proposed Manager has been in the industry, and Cruz replied that he has been with Legal Seafoods for 8 years and is TIPS certified. Philip Steele confirmed that he has worked for Legal Seafoods for 8 years and has 20 years of experience in the hospitality industry.

The Licensing Commission approved this change.



Existing All Forms Alcohol License Change of Manager & Change of Hours

13. Flatbread Somerville Inc d/b/a Flatbread Company, 45 Day St Somerville, requesting approval of a Change of Manager and Change of Hours. Current Manager: Katherine L. Biggs.
Proposed Manager: Nevada Dawn Anderson. Current Hours: Mon-Sat: 11:30am-11:30pm Sun: 11:30am-10:30pm (Food and Alcohol Service).
Proposed Hours: Mon-Sun:10am-12am (Food and Alcohol Service).
(ALM23-000081)

Jim Harrison explained that the business would like to expand its hours due to being fully staffed and experiencing an increase in volume, adding that they serve pizza and would like to be able to open earlier to do so to host children's birthday parties, for example. Harrison also noted that the Proposed Manager, Nevada Anderson, has been in the restaurant business for 12 years, has been with Flatbread for 12 years, is TIPS certified, and has Crowd Control and Choke Saver Certificates.

The Licensing Commission approved this change.

Existing Common Victualer License Change of Manager & Change of Hours

14. Star Markets Company Inc d/b/a Starbucks Kiosk at Star #3580, 22A McGrath Hwy Somerville, requesting approval of a 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)

No representative for the applicant appeared before the Commission.

The Licensing Commission continued the Item to the February 2024 Licensing Commission meeting.



<u>Transfer of License & Change of Category</u> All Forms 7 Day Restaurant License-Private Common Victualer, Entertainment by Devices & Performers Indoors, Sunday Hours

15. 181 Bonfire Corporation d/b/a Bonfire Boston, 282 McGrath Hwy Somerville, requesting approval of the Transfer and Change of Category of a Private Club License from Nucleo Sportinguista Inc d/b/a Nucleo Sportinguista to an All Forms 7 Day Restaurant License, Common Victualer License, Entertainment by Devices and Performers Indoors, and Sunday Hours License.
Indoor Seats: 50.
Hours of Operation (Food Service): Mon-Sun: 8am-1am.
Hours of Operation (Alcohol Service): Mon-Sat: 8am-1am, Sun: 10am-1am.
(AL23-000032)

Attorney Alexander Capano appeared with Julio Pena, the applicant, and Jason Carron, the applicant's business consultant. Capano stated that the applicant is hoping to use the license to renovate a dilapidated building and that they have signed a long-term lease and invested heavily in renovating it. Capano added that the applicant hired Carron to work on the concept for the menu, with a goal of making and serving high quality food at reasonable prices. Commissioner Lynch asked about the term of the lease, and Pena replied that it is currently a 3-5-year term. Commissioner Allen asked about the applicant's planned open date, and Pena replied their goal is to open on April 1, 2024. Commissioner Allen asked if there would be live music performers, and Pena replied that there would occasionally be a DJ performing. Commissioner Lynch encouraged the applicant to be mindful of noise ordinances and to reach out to neighboring residents. Commissioner Allen asked about Pena's experience in the hospitality industry, who replied that they operate an autobody shop in East Boston and had been wanting to open a restaurant, and that Carron was hired as a consultant to assist in developing the concept. Commissioner Allen asked who the manager would be, and Pena replied that they would, and that they are currently working to become TIPS certified. Commissioner Lynch asked if the applicant has been in contact with their City Councilor, and they replied that they have.

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.

New

All Forms 7 Day Restaurant License – Citywide Common Victualer, Entertainment by Devices & Performers Indoors, Sunday Hours



16. Duck Duck Goofs LLC d/b/a Duck Duck Goofs Comedy Club, 434 McGrath Hwy Somerville, requesting approval of an All Forms 7 Day Restaurant License, Common Victualer License, Entertainment by Devices and Performers Indoors, and Sunday Hours License.
Indoor Seats: 93.
Hours of Operation (Food and Alcohol Service): Mon-Sun: 11am-12am.
(AL23-000034)

Attorney Anne Vigorito appeared on behalf of the applicant and explained that the applicant is planning to host comedy shows, as well as run a comedy school where they offer classes to the general public. Vigorito added that the applicant will begin by offering comedy shows primarily in the evening, but that they plan to add additional shows, including family shows and comedy brunch. Vigorito stated that Ryan Howe, the manager, has a history in alcohol distribution, bartending, and is TIPS certified.

Commissioner Allen asked if the applicant planned to serve brunch Monday through Sunday, and Vigorito replied that right now the applicant plans to have brunch on the weekends, but may have events earlier in the day during the week for special events. Commissioner Allen asked about the applicant's planned menu, and Vigorito replied that it would be robust, reasonably priced, and sometimes have paired events with local food business. Commissioner Allen asked if the proposed manager has had any issues with the Cambridge Licensing Commission or the ABCC, and Vigorito replied that he did not.

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.

<u>New</u>

All Forms 7 Day Restaurant License – Citywide Common Victualer, Entertainment by Devices Indoors, Sunday Hours

17. Tulum Mexican Cuisine Co d/b/a Tulum Mexican Cuisine, 3 Washington St Somerville, requesting approval of an All Forms 7 Day Restaurant License, Common Victualer License, Entertainment by Devices Indoors, and Sunday Hours License.
Indoor Seats: 57.
Hours of Operation (Food Service): Mon-Sun: 11am-11pm.
Hours of Operation (Alcohol Service): Mon-Sun: 11am-11pm.
(AL23-000035)

Abner Gonzalez stated that the restaurant would be family-friendly and be a positive addition to the area. Commissioner Lynch asked what type of entertainment would be



provided, and Gonzalez replied that there might be musicians on the weekends, to which Commissioner Lynch replied that an additional license would be required to do that. Commissioner Allen asked about Gonzalez's experience in the food industry, who replied that he has been working in a Mexican restaurant for more than 15 years, that he enjoys serving people and working in restaurants, and that he had been looking for a restaurant to buy for a while and finally found this property.

Commission Lynch opened the public hearing. Annie Silva, the Small Business Liaison for East Somerville Main Streets, spoke in strong support of approving this license. Commissioner Lynch closed the public hearing.

The Licensing Commission approved this license.

<u>New</u> Common Victualer and Entertainment by Devices Indoors License

18. Marios Takos d/b/a Opa Greek Yeeros, 378 Highland Ave Somerville, requesting approval of a Common Victualer License and Entertainment by Devices Indoors. Indoor Seats: 8. Hours of Operation: Mon-Sun:11am-8pm. (AL23-000040)

Marios Takos stated that they recently purchased the business, which was also previously operating as a Greek restaurant, and to re-open it with a spin on Greek food based on his family's expertise. Commissioner Lynch asked if they planned to continue the use of the previous owner's private outdoor patio, and Takos replied that they have not decided if they are going to use it yet, but that if they do, they understand they need to apply for an outdoor seating permit.

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.

<u>New</u> Common Victualer

19. Assembly Row Poke LLC d/b/a Pokemoto, 410 Artisan Way Somerville, requesting approval of a Common Victualer License.
Indoor Seats: 16.
Hours of Operation: Sun-Thurs: 11am-9pm, Fri-Sat: 11am-10pm.
(AL23-000039)



Jason Vaillette stated that this business is a franchise concept based in Connecticut with locations in Massachusetts and nationwide, and that they specialize in poke bowls, which is like sushi in a bowl. Commissioner Lynch asked if the applicant was aware this license does not permit alcohol and allows for only 16 seats, which Vaillette confirmed. Commissioner Lynch asked about the planned opening date, and Vaillette stated the goal is mid-February.

The Licensing Commission approved this license.

LATE ITEMS

<u>New</u> Common Victualer

20. Crave & Co Inc d/b/a Crave & Co Cafe, 198 Holland St Somerville, requesting approval of a Common Victualer License.
Indoor Seats: 48.
Hours of Operation: Mon-Sun: 7am-11pm.
(AL23-000043)

Ameer Noufal explained that the concept for the restaurant is American cuisine with a Mediterranean twist. The Commissioners had no additional questions.

The Licensing Commission approved this license.

Existing Common Victualer License Alteration of Indoor Premises

21. Ball Square Café Breakfast Inc d/b/a Ball Square Café and Breakfast, 708 Broadway Somerville, requesting approval of an Alteration of Indoor Premises. Current Indoor Seats: 36. Proposed Indoor Seats: 81. (ALM23-000087)

Mike Moccia explained that renovations were made to the premises in 2020 to expand to 81 seats, but that they were inadvertently unaware that the license needed to be amended, and is present to bring the license into compliance. Captain Bakey reminded the applicant that they need to provide the new floor plan to the Fire Department and that it has to be stamped by the architect, which Moccia confirmed.



The Licensing Commission approved this change.

The meeting was adjourned at 7:18 p.m.



City of Somerville Licensing Commission

Regular Meeting

Tuesday February 20, 2024 6:00 p.m. City Council Chamber and Remote Participation

DRAFT MINUTES

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The meeting was called to order by Commissioner Joseph Lynch at 6:03 p.m.

<u>Attendance</u>: Chair Joseph Lynch – Present Commissioner Christopher Allen – Present Commissioner Jacques Thomas, Jr. – Present

<u>Others present</u>: 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.

Case ID	<u>Docket</u>	Name of Business	Address	Date of Offense	<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

 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

 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

 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

 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.

 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.

<u>Transfer of License</u> <u>All Forms 7 Day Restaurant License-Private</u> <u>Common Victualer, Entertainment by Devices & Performers Indoors, Sunday Hours</u>

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 Cicatelli appeared on behalf of the applicant, Nelson Perlera, who was also present. Attorney Cicatelli 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 Cicatelli 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 Cicatelli 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.

<u>Late Item</u> <u>Special Alcohol License</u>

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.



City of Somerville Licensing Commission

Regular Meeting

Tuesday March 19, 2024 6:00pm City Council Chamber and Remote Participation

DRAFT MINUTES

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The meeting was called to order by Commissioner Joseph Lynch at 6:01 p.m.

<u>Attendance</u>: Chair Joseph Lynch – Present Commissioner Christopher Allen – Present Commissioner Jacques Thomas, Jr. – Present

<u>Others present</u>: Michael Potere – Licensing Operations Manager; Timothy Mitsakis – Police Lieutenant; Darrell Richardson – Fire Lieutenant; Brian Postlewaite – Assistant Director of Engineering; Niki Green – ADA Field Associate.

Communications

1. Minutes of the Regular Licensing Commission Meeting of 2/20/2024.

The Commission approved the Minutes.

Special Alcohol Licenses

 St. Anthony Parish, 12 Properzi Way Somerville, requesting the approval of a Special Alcohol License for Baile das Maes (Mother's Day), to be held indoors at 12 Properzi Way Somerville, on 5/11/24 from 8pm-1am (Alcohol Service). (PEL24-000036)

Jorge Navarette, the applicant, appeared before the Commission. Commissioner Lynch asked how many people would be attending, and the applicant replied approximately 300.



Commissioner Lynch asked if a police detail would be required, and Lieutenant Mitsakis confirmed that it would. The applicant stated they contacted the Police Department about this and was told to make the request in April. Commissioner Allen asked if the alcohol would be purchased by a licensed distributor, if the staff are TIPS certified, and if IDs will be checked at the door, all of which the applicant confirmed. Commissioner Thomas recommended that the applicant request event attendees to use public transportation to get there.

The Licensing Commission approved this license.

 St. Anthony Parish, 12 Properzi Way Somerville, requesting the approval of a Special Alcohol License for Wedding of Lidia Serpas & Jose Palacios, to be held indoors at 12 Properzi Way Somerville, on 5/25/24 from 6:30pm-1am (Alcohol Service). (PEL24-000007)

Jorge Navarette, the applicant, appeared before the Commission. The applicant requested that the hours on the application be adjusted to 7:00pm-11:00pm. Commissioner Lynch asked how many people would be attending, and the applicant replied approximately 100.

The Licensing Commission approved this license as amended to reflect the hours of 7:00pm-11:00pm.

 Nice, an LLC, 86 Summer St Arlington, requesting the approval of a Special Alcohol License for Nice, a Fest, to be held outdoors at Grove St Parking Lot in Somerville, on 7/27/24 and 7/28/24 from 12pm-10pm (Alcohol Service) with raindates of 8/3/24 and 8/4/24. (PEL24-000002)

Alex Pickert, the applicant, appeared before the Commission, who explained the event will be an all-Boston music festival, and that it has been hosted for the past three years, with this being the first year it will be outdoors. Commissioner Lynch if the applicant had gone through the process for a Special Event License, and the applicant replied that the process is nearly complete. Commissioner Lynch asked about potential attendance for the event, and the applicant replied around 2,500 for the entire event, and approximately 800 to 1,500 at any given time during the festival. Commissioner Allen asked if the applicant had arranged a detail with the Police Department, and the applicant responded that they were informed to request that detail closer to the event. Commissioner Allen asked if the alcohol was being purchased from an authorized distributor, which the applicant confirmed, and added that they would be checking IDs at the door and providing wristbands. Commissioner Thomas asked about ADA accessibility, and the applicant replied that the event would be taking place on flat ground, and that they had already planned to have



accessible bathrooms. Commissioner Thomas asked how many portable bathrooms would be available, and the applicant replied one for every one hundred people, so likely 15 in total. Commissioner Lynch expressed concern regarding the layout for the event, and Director Postlewaite presented the plan that the Engineering Department recently approved, to which Commissioner Lynch expressed approval.

The Licensing Commission approved this license with the condition that the applicant provide police detail as directed by the Somerville Police Department.

 Downeast Cider, 256 Marginal St Boston, requesting the approval of a Special Alcohol License for Downeast @ The Park by VOLO, to be held outdoors at The Park in Assembly Row in Somerville, on 04/01/24 thru 04/30/24 from 12pm-10pm (Alcohol Service). (PEL24-000029)

Roisin Gilligan, the applicant, appeared before the Commission and explained the event would accompany a co-ed sports league that takes place in Assembly Row, and that they will be serving Downeast Cider and other malt beverages.

The Licensing Commission approved this license.

Bloc Cafe, 11 Bow St Somerville, requesting the approval of a Special Alcohol License for Marzae Wine at Bloc Cafe, to be held indoors at 11 Bow St Somerville, on 5/2/24, 5/9/24, 5/16/24, 5/23/24, 5/30/24, 6/6/24, 6/13/24, 6/20/24, 6/27/24 from 5pm-10pm (Alcohol Service).
(PEL24-000026)

Courtney Verhaglen, the applicant, appeared before the Commission and explained that Marzae Wine approached them to host an event to expose their brand to Somerville residents. The applicant also noted that the event would be indoors and outdoors, and that Marzae Wine has a license to serve alcohol and is on the state's authorized distributors list. Commissioner Allen asked how the alcohol would be served, and the applicant responded either by table service or else by counter service. Commissioner Lynch asked if the applicant's servers are TIPS certified, and the applicant responded that they are in the process of completing that certification.

The Licensing Commission approved this license for indoor and outdoor operation.



 Somerville Sports Club, 203 Somerville Ave Somerville, requesting the approval of a Special Alcohol License for Portugal Day, to be held outdoors at 203 Somerville Ave Somerville, on 6/8/24 from 4pm-10pm (Alcohol Service). (PEL24-000035)

Maria Carreiro-Luis, the applicant, appeared before the Commission and explained the application is to host a Portugal Day event, and that they expect the traffic to the event to be mainly on foot. Commissioner Lynch asked how long the applicant has been hosting Portugal Days, who replied since 1989. Commissioner Lynch asked if the location has hosted other events in the past, and the applicant indicated that it had. Commissioner Thomas asked the applicant to encourage attendees to use public transit to attend the event.

Commissioner Lynch asked if the proposed location already has an alcohol license, and Manager Potere responded that this application applies to distinct premises that are not subject to any existing alcohol license. Lieutenant Richardson noted that the alcohol license attached to the indoor premises at 203 Somerville Ave was awaiting fire inspection, and that the Fire Department was at the address earlier in the day and asked for one more change to be made prior to final approval.

Commissioner Lynch asked if Lieutenant Richardson was aware of the applicant's plans to use grills at the event, which Lieutenant Richardson confirmed.

Commissioner Lynch clarified with the applicant that the granting of this Special Alcohol License will require the applicant to purchase alcohol from an authorized distributor. Commissioner Lynch and Commissioner Allen both further emphasized that alcohol cannot be transferred between the applicant's indoor and outdoor premises.

Commissioner Lynch asked if the bartenders for the event would be TIPS certified, and the applicant replied that they would.

The Licensing Commission approved this license with two conditions: first, that the Fire Department complete its inspections on the indoor premises at the address; second, that the applicant purchase the alcohol for the event from an authorized distributor.



Existing All Forms Alcohol License Private Outdoor Seating & Change of Hours

 Lehrhaus LLC d/b/a Lehrhaus, 425 Washington Street Somerville, requesting approval of Private Outdoor Seating License and Change of Hours. Outdoor Private Seats: 24

Current Hours: Mon-Thurs: 4:30pm-12am, Fri: Closed, Sat: Sundown-1am, Sun: 10am-9pm Proposed Hours (Indoors and Outdoors): Mon-Fri: 10am-12am, Sat: 7:30pm-1am, Sun: 10am-10pm (ALM23-000070)

Commissioner Allen recused himself from this application as an abutter.

Rabbi Charlie Schwartz, the applicant, appeared before the Commission with their attorney, David Lipshutz. Rabbi Schwartz stated that they have been open for approximately one year with no issues, and that they are now seeking to expand their service outside. Commissioner Lynch asked about ADA accessibility to the back outdoor patio, and Rabbi Schwartz confirmed that the public's only access to the patio will be to go behind the building; Director Postlewaite stated for the record that the outdoor dining plan was reviewed by the Engineering Department and is recommended for approval.

Commissioner Lynch noted for the record that Ward 2 City Councilor J.T. Scott expressed support for this Item via email earlier in the day.

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 Public Parklet & Sidewalk Seating

 Cercross & Sons Inc d/b/a Restaurante Turistico Machu Picchu, 307 Somerville Ave Somerville, requesting approval of Public Parklet and Sidewalk Seating License. Outdoor Parklet Seats: 24 (ALM24-000004)



Rosy Cortez, the applicant, appeared before the Commission and indicated that this application reflects an amendment to their previous outdoor dining license to reduce the size of the outdoor dining space from three parklets to two parklets, thereby reducing the number of seats from 36 to 24. Director Postlewaite stated that the Engineering Department reviewed the plans, noted that there were no major substantive changes to the applicant's outdoor dining plans, and recommended the Item be approved.

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 Change of DBA Name & Entertainment by Performers Indoors

 Papagayo Somerville Inc d/b/a Toca Chida, 331 Great River Rd Somerville, requesting approval of Change of DBA Name and Entertainment by Performers Indoors. Current DBA Name: Papagayo Proposed DBA Name: Toca Chida (ALM24-000011)

Chris Damian, the applicant, appeared before the Commission. The applicant stated they are the chef-owner of the business and are seeking a name change to accompany their new restaurant concept at the location. Commissioner Lynch asked the applicant to confirm that this is a name change only, and not a transfer of stock, for example, which the applicant confirmed.

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 Change of Manager

 Outback Steakhouse of Florida LLC d/b/a Outback Steakhouse, 625 Grand Union Blvd #120 Somerville, requesting approval of Change of Manager. Current Manager: Jillian Standish Proposed Manager: Michael S. Jackson (ALM24-000013)

Attorney Libby Pisano appeared before the Commission on behalf of the applicant, Michael Jackson, also present. Attorney Pisano stated that Jackson is a United States citizen and Massachusetts resident who is familiar with Massachusetts alcohol laws and has been at the Outback Steakhouse for over 10 years. Commissioner Allen asked if Jackson has had any issues with the local licensing commission or state alcohol commission, who replied they had none.

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

 Urban Axes Boston LLC d/b/a Urban Axes, 2 Union Square Somerville, requesting approval of Change of Manager. Current Manager: Jessica Brissette Proposed Manager: Kenya Claytor (ALM24-000008)

Commissioner Thomas recused himself from this application as an abutter.

Kenya Claytor, the applicant, appeared before the Commission. Commissioner Lynch asked if the applicant has managed an alcohol license before, who replied they have but not as a General Manager. Commissioner Lynch asked if they are TIPS certified, which the applicant confirmed.

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



Existing Common Victualer License Change of Manager & Change of Hours

13. 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 and 2/20/2024 Licensing Commission Meetings.

Commissioner Lynch noted for the record that the applicant withdrew their Change of Hours request, and as such their application is for a Change of Manager only.

Carlos Minueza, the applicant, appeared before the Commission.

The Licensing Commission approved the Change of Manager request to the applicant's license.

Existing Common Victualer License Entertainment by Devices Indoors

14. 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 (Public Hearing)*,10/23/2023, and 2/20/2024 Licensing Commission Meetings.

Rachel Meissner, the applicant, appeared before the Commission and noted for the record that the employee who originally filed the application left the company, and as such the notifications for the application were going to an unmonitored email account. The applicant explained that this license is for an indoor theater, six virtual reality pods, and an indoor ride with multiple screens.

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



Existing Common Victualer License Change of Hours

15. By The Street LLC d/b/a Hen Chicken Rice, 24 Union Sq Somerville, requesting approval of Change of Hours. Current Hours: Mon-Sun: 11am-10pm Proposed Hours: Mon-Sun: 11am-9pm (ALM24-000009)

Warit Viriyaudomchart, the applicant, appeared before the Commission. Commissioner Lynch noted that this was for a one-hour change in operating hours.

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

<u>New</u> Common Victualer & Entertainment by Devices Indoors

16. Window Seat LLC d/b/a Boston Halal, 248 Elm St Somerville, requesting approval of a Common Victualer and Entertainment by Devices Indoors License. Indoor Seats: 19 Hours of Operation (Indoors): Mon-Sun: 11am-12am (AL23-000041)

Attorney John Mooradian appeared before the Commission on behalf of the applicant, Niral Patel, also present. Attorney Mooradian stated this will be a restaurant with no alcohol and the entertainment devices will be background music.

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.

17. Carolicious LLC d/b/a Carolicious Gourmet, 6 Bow Market Way Somerville, requesting approval of a Common Victualer and Entertainment by Devices Indoors License. Indoor Seats: 32
Hours of Operation (Indoors): Mon-Sun: 9am-12am
(AL23-000031)



Carolina Garcia, the applicant, appeared before the Commission and stated that the Entertainment by Devices License would be speakers playing background music. Commissioner Allen asked where the restaurant is located, and the applicant responded in the expansion at Bow Market.

The applicant requested to change the Hours of Operation to: Monday – Thursday: 11:00am-9:00pm Friday – Saturday: 11:00am-10:00pm Sunday: 11:00am-7:00pm

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 applicant's license with the following Hours of Operation:

Monday – Thursday: 11:00am-9:00pm Friday – Saturday: 11:00am-10:00pm Sunday: 11:00am-7:00pm.

<u>New</u> Common Victualer

18. Caprese Inc d/b/a Venus Pizza and Grill, 1291-1293 Broadway Somerville, requesting approval of a Common Victualer License. Indoor Seats: 22 Hours of Operation (Indoors): Sun-Wed: 11am-11pm Thurs-Sat: 11am-12pm

(AL24-00002)

Adel Ibrahim, the applicant, appeared before the Commission. Commissioner Lynch asked if the applicant is currently operating any other restaurants, and the applicant replied that they are not currently but have operated restaurants in the past.

The Licensing Commission approved this license.



<u>Transfer of License & Change of Location</u> <u>Wine and Malt 7 Day Package Store License-Private</u>

19. Modern Love LLC d/b/a Wild Child, 30 Bow St Somerville, requesting approval of a Transfer and Change of Location of a Private Wine and Malt Package Store License from Lucy Grace LLC d/b/a Top Shelf at Assembly located at 365 Canal St. Hours of Operations (Indoors): Sun:12pm-10pm

Mon-Fri: 12pm-10pm Sat:10am-10pm

(AL23-000021)

Attorney Adam Barnosky appeared on behalf of the applicant, Lauren Friel, who was also present. Attorney Barnosky stated that the store consists of 1,110 square feet on the ground floor of 30 Bow Street, noted that the applicant has a similar business across the street at Bow Market, and continued that the applicant would host small events with food and wine, as well as other educational experiences. Attorney Barnosky reiterated that the ZBA granted a special permit to authorize the retail sale of alcohol at this location earlier this year. Attorney Barnosky concluded that the applicant has had no citations or violations as a business owner.

Commissioner Thomas asked about potential issues with parking, and the applicant replied that they have spoken to their neighbors and have agreed to post signage regarding parking restrictions, adding that their business caters to those who would walk or bike to their store.

Commissioner Lynch noted for the record that Ward 3 City Councilor Ewen-Campen expressed support for this license transfer application.

Commissioner Lynch opened the public hearing. Attorney Mark Evlogiadis, the attorney for the seller in the transfer at issue, noted that they are happy the transaction has finally been completed. Jim McGinnis expressed general support for the application but expressed some concern regarding parking and the use of the emergency lane adjacent to 30 Bow Street. Commissioner Lynch closed the public hearing.

The Licensing Commission approved this license transfer.



<u>New</u> <u>Wine and Malt 7 Day Restaurant License + Pledge of License</u> <u>Common Victualer, Entertainment by Device Indoors, Sunday Hours</u> <u>Assembly Row (Chapter 142 Acts of 2016)</u>

20. Amelia's Taqueria V d/b/a Amelia's Taqueria, 475 Revolution Drive Somerville, requesting approval of a Wine and Malt 7 Day Restaurant License, Common Victualer License, Entertainment by Devices Indoors, and Sunday Hours License. Indoor Seats: 31
Hours of Operation (Indoors): Mon-Sat: 10am-11pm
Sun: 10am-9pm

(AL23-000047)

Attorney John Papantonakis appeared on behalf of the applicant, Amir Shiranian, who was also present. Attorney Papantonakis stated that the applicant purchased the assets of the restaurant previously at this location and has a similar Mexican concept in mind. Attorney Papantonakis noted that part of the loan to acquire the business is through the SBA, and so the license is pledged to the SBA. Attorney Papantonakis concluded that the entertainment device will be background music and is not substantively different from the previous establishment.

Commissioner Lynch asked if the applicant had any experience with an alcoholic beverages license in Massachusetts, and the applicant said they do and that they have not had any issues or violations.

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.

Late Items

21. Warehouse XI, 11 Sanborn Ct Somerville, requesting the approval of a Special Alcohol License for Pop Up Music Series, to be held indoors at 11 Sanborn Ct Somerville, on 3/27/24, 3/28/24, 4/6/24, 4/7/24, 4/11/24, 4/12/24, 4/13/24, and 4/20/24 from 7pm-11pm (Alcohol Service).
(PEL24-000037)



Peggy Morrissey, the applicant, appeared before the Commission and noted that these events would have musical entertainment, including local students. Commissioner Allen asked if the alcohol would be purchased by a licensed distributor, if the staff are TIPS certified, and if IDs will be checked at the door, all of which the applicant confirmed. Commissioner Lynch asked how many people would be attending these events, and the applicant replied around 50 or 60, and that the capacity of the space is 150.

The Licensing Commission approved this license.

22. Winter Hill Brewing, 328 Broadway Somerville, requesting the approval of a Special Alcohol License for Beer Garden for Anniversary Party and Porchfest, to be held outdoors in the parking lot of 328 Broadway Somerville, on 4/6/24 and 5/11/24 from 12pm-8pm with raindates of 4/7/24 and 5/12/24 (Alcohol Service). (PEL24-000032)

Breck Baily, the applicant, appeared before the Commission, and explained that this application is similar to applications made in the past, where the applicant will use the adjacent parking lot that is not part of their alcohol license to host an event. Commissioner Thomas asked about whether the event will have an ADA accessible bathroom, and the applicant replied that it would. Commissioner Lynch asked how many people the applicant expected to attend, who replied approximately 40 or 50.

The Licensing Commission approved this license.



City of Somerville Licensing Commission

Regular Meeting

Tuesday April 16, 2024 6:00pm 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 6:00 p.m. and adjourned at 7:13 p.m.

<u>Attendance</u>: Chair Joseph Lynch – Present Commissioner Christopher Allen – Present Commissioner Jacques Thomas, Jr. – Present

<u>Others present</u>: Michael Potere – Licensing Operations Manager; Timothy Mitsakis – Police Lieutenant; Darrell Richardson – Fire Lieutenant; Brian Postlewaite – Assistant Director of Engineering; Niki Green – ADA Field Associate.

Communications

1. Minutes of the Regular Licensing Commission Meeting of 3/19/2024.

The Commission approved the Minutes.

2. Communications from the Alcoholic Beverages Control Commission regarding a notice of suspension for Triple F Pub Inc d/b/a The Pub, 682-686 Broadway Somerville for a period of five (5) days to be served on Monday, May 13, 2024, through Friday, May 17, 2024.

The Commission placed this Item on file.



Status Report

3. Licensing 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	1133B	All Forms	Private
	d/b/a The	Broadway		
	Basement			

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

Attorney Tyler Henseler appeared on behalf of the licensee and explained that opening the business is being delayed by wheelchair accessibility problems for the location's basement, and that another attorney has been hired to engage an expert and rectify these issues. Attorney Henseler continued that the floor plan cannot go forward until the Architectural Access Board (AAB) grants a variance, which could take several months. Commissioner Lynch asked if there was a date set by the AAB, and Attorney Henseler replied that they did not know and that another attorney is handling that aspect of the applicant's process.

The Licensing Commission continued this Item until the July 2024 Licensing Commission meeting.

Special Alcohol Licenses

 St. Anthony Parish, 12 Properzi Way Somerville, requesting the approval of a Special Alcohol License for Festa Junina, to be held outdoors at 12 Properzi Way Somerville parking lot, on 6/22/24 from 5pm-11:30pm (Alcohol Service). (PEL24-000038)

Raphael Laves, the applicant, appeared before the Commission. Laves explained that the event is a Brazilian festival and that they have arranged parking with a neighboring building. Commissioner Lynch asked how many people are expected to attend, and Laves replied around 5,000 over the course of the event, which will last six hours. Commissioner Lynch asked if police detail has been obtained, and Laves replied that they contacted the Police Department and was asked to request the detail two weeks before the event. Commissioner Lynch asked if there would be fire and open grilling, and Laves replied that they have also been in contact with the Fire Department. Commissioner Lynch asked if there is a proposed rain date, and Laves replied that there is not. Commissioner Allen asked how ages would be verified, and Laves replied that attendees who are 21+ will have their hands marked with "XX".



The Licensing Commission approved this license.

 Downeast Cider, 256 Marginal St Boston, requesting the approval of a Special Alcohol License for Downeast @ The Park by VOLO, to be held outdoors at The Park in Assembly Row in Somerville, on 05/01/24 thru 05/30/24 from 12pm-10pm (Alcohol Service). (PEL24-000030)

Roisin Gilligan and Nick Fay, the applicants, appeared before the Commission. Commissioner Lynch asked how long the applicant has been doing this event, and Fay replied that this is their second year. Fay explained that VOLO is an area with pickleball and volleyball courts and they serve their cider out of a converted shipping container to people participating in those activities. Commissioner Allen asked if there have been any incidents the Commission should be aware of, and Fay replied that there have been none.

The Licensing Commission approved this license.

Special Farmer Winery Licenses

 Blisspoint Meadery, 1 Fox Run Road Bedford, requesting the approval of a Special Farmer Winery License for Union Square Farmer's Market, to be held outdoors at 66-70 Union Square Somerville, on every Saturday 05/11/24 thru 10/26/24 from 9am-1pm (Alcohol Service). (SFW24-000001)

Anthony Venuti, the applicant, appeared before the Commission. Commissioner Lynch asked how long the applicant has been participating in the Farmer's Market, and Venuti replied that this is their second year. Commissioner Lynch asked if the applicant's servers are TIPS certified, and Venuti replied that they are ServSafe certified, which is a comparable alternative to TIPS.

The Licensing Commission approved this license.



 Blisspoint Meadery, 1 Fox Run Road Bedford, requesting the approval of a Special Farmer Winery License for Davis Square Farmer's Market, to be held outdoors at Davis Square parking lot, on every Wednesday 05/22/24 thru 11/27/24 from 12pm-6pm (Alcohol Service). (SFW24-000002)

Anthony Venuti, the applicant, appeared before the Commission. Commissioner Lynch confirmed the same details applied to this application, for Davis Square, as they do for the above application for Union Square, and Venuti confirmed they do.

The Licensing Commission approved this license.

 Far From the Tree LLC, 108 Jackson Street Salem, requesting the approval of a Special Farmer Winery License for Union Square Farmer's Market, to be held outdoors at 66-70 Union Square, on every Saturday 05/11/24 thru 10/27/24 from 9am-1pm (Alcohol Service). (SFW24-000003)

Jessica Crescimano, the applicant, appeared before the Commission. Crescimano explained that the idea behind the application is to offer samples and sales of ciders at the Union Square Farmer's Market. No additional questions were asked by the Commissioners.

The Licensing Commission approved this license.

Existing Marijuana Establishment License Change of Hours

 Union Leaf Inc, 71 Union Square, requesting the approval of a Change of Hours. Current Hours: Mon-Sat: 10am-8pm, Sun: 10am-5pm, appointment-only for first six months of operation Proposed Hours: Mon-Sat: 10am-8pm, Sun: 10am-5pm, removal of appointment-only condition for first six months of operation (MEA24-000002)

Attorney Walter Sullivan appeared on behalf of the applicant and explained that when the application was first granted, there was not much evidence regarding the impact adult-use marijuana retailers would have on neighborhood vehicle and foot traffic, but now with the benefit of time there is evidence to show little to no impact, and as such an appointment-only framework for the first six months of operation is not necessary. Commissioner



Lynch noted for the record that he is not aware of any complaints about adult-use marijuana retailers regarding sidewalk obstruction or otherwise. Manager Potere noted that removal of the appointment-only condition requires approval of both the Licensing Commission and the Somerville Planning Board and that, when they open, the applicant will still be required to operate on an appointment-only basis until the amendment is approved by both bodies.

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

Existing All Forms Alcohol License Indoor Seating & Public Sidewalk Seating

10. Terranova Inc d/b/a Mike's Restaurant, 8 Davis Square Somerville, requesting approval of Public Sidewalk Seating License. Current Indoor Seating: 90 Proposed Indoor Seating: 74 Outdoor Public Sidewalk Seats: 16 (ALM24-000017)

Director Postlewaite indicated that the applicant is returning to their pre-pandemic outdoor dining plan, with 16 total seats on the sidewalk in front of their restaurant, and further noted that this plan was intended to be compliant with their restroom capacity limitations.

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 Public Parklet Seating

11. Pinky Swear Inc d/b/a Junebug, 251-251A Washington Street Somerville, requesting approval of Public Parklet Seating License.
Outdoor Public Parklet Seats: 18 (ALM24-000018)

Director Postlewaite explained that the applicant was planning a raised parklet in front of their restaurant and that it will be similar to the adjacent parklets operated by neighboring



restaurants. Director Postlewaite added that the plans meet the department's expectations for accessibility.

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.

 Rockwell Restaurant Group LLC d/b/a Foundry on Elm, 255 Elm Street Somerville, requesting approval of Public Parklet Seating License. Outdoor Public Parklet Seats: 24 (ALM24-000024)

Director Postlewaite explained that the applicant is submitting their parklet seating plan to attach as a permanent feature of their license due to changes required by the Somerville Fire Department to decrease its size to accommodate passing emergency response vehicles. Director Postlewaite continued that, with the changes having been made, the department recommends the amendment for approval. Lieutenant Richardson confirmed the Somerville Fire Department's approval of the applicant's updated parklet plans.

Commissioner Lynch asked about the fire hydrant in front of the applicant's restaurant, and Director Postlewaite explained that the parklet leaves an opening in the fence that allows access to the hydrant.

Commissioner Lynch opened the public hearing. Susanna Coit stated that the applicant has already built its outdoor dining parklet, and Jess Willis, the applicant, replied that they had not, in fact, set up the parklet. Commissioner Lynch closed the public hearing. Coit later sent an email to the Clerk's Office confirming their statement was in error.

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



<u>Existing Wine + Malt Package Store License</u> Change of Stock Interest, Officers/Directors & Manager

13. LDDJ Inc d/b/a Dave's Fresh Pasta, 79-83 Holland Street Somerville, requesting approval of Change of Stock Interest, Officers/Directors, and Manager.

Current Officers	Current Title/Position	Current Percentage of Ownership
David Jick	President, Treasurer,	36.77%
	Director	
Lori Deliso	Clerk, Director	36.77%
Christina	Stockholder	16.17%
Theophanis		
Joshua Sarvis	Stockholder	10.29%

Current Officers/Directors & Stock Interest:

Proposed Officers/Directors & Stock Interest:

Proposed Officers	Proposed Title/Position	Proposed Percentage of Ownership
David Jick	Treasurer, Secretary,	21.81%
	Director	
Lori Deliso	Stockholder	21.81%
Christina	Stockholder	16.17%
Theophanis		
Joshua Sarvis	President, Director	40.21%

Current Manager: David Jick Proposed Manager: Joshua Sarvis (ALM24-000019)

Josh Sarvis, the applicant, appeared before the Commission. Commissioner Lynch asked if this application was strictly limited to a reorganization of the stock ownership, and Sarvis confirmed that it is, and continued that they have been with the company for 17 years and are taking on a larger managerial role and ownership interest in the business. Commissioner Lynch asked if Sarvis is TIPS certified, and Sarvis replied that they are not, to which Commissioner Lynch responded by recommending they obtain that certification.

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 Change of Stock Interest & Officers/Directors

14. Carlos & Mike Inc d/b/a The Cornerstone, 282 Beacon Street Somerville, requesting approval of Change of Stock Interest and Officers/Directors.

Current Officers/Directors & Stock Interest:

Current Officers	Current Title/Position	Current Percentage of Ownership
Hsuanwei Fang	Treasurer, Secretary, Director	51%
Juan Carlos Vidal	President, Director	49%

Proposed Officers/Directors & Stock Interest:

Proposed Officers	Proposed Title/Position	Proposed Percentage of Ownership
Hsuanwei Fang	Director	0%
Juan Carlos Vidal	President, Treasurer, Secretary, Director	100%

(ALM24-000014)

Attorney Elizabeth Lashaway appeared on behalf of the applicants, both of whom were also present, and explained that this is a transfer of stock and change of titles between the applicants, who have both been previously before and approved by the Licensing Commission and the ABCC.

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.



<u>New</u> <u>All Forms 7 Day Restaurant License</u> <u>Common Victualer, Entertainment by Device Indoors, Outdoor Public Parklet Seating</u>

15. Eat Greek LLC d/b/a Eat Greek Gyros, 215 Elm Street Somerville, requesting approval of an All Forms 7 Day Restaurant License, Common Victualer License, Entertainment by Devices Indoors, and Outdoor Public Parklet Seating License.
Indoor Seats: 42
Outdoor Public Parklet Seats: 16
Hours of Operation (Indoor & Outdoor Alcohol Service): Mon-Sun: 12pm-12:30am (Indoor & Outdoor Food Service): Mon-Sun: 11am-12:30am (AL24-000005)

Attorney Gregory Curtis appeared on behalf of the applicants, Eva Tsiantikos and Roland Leci, who were also present. Attorney Curtis stated that the applicants are familiar with the restaurant business and operate a location in Tewksbury called "The Pizza Bar." Attorney Curtis continued that the applicants are planning to open in early May if their application is approved, and noted that the indoor and outdoor floorplans are largely unchanged from those of the previous restaurant in that location.

Commissioner Thomas asked if the applicant has had any issues with their Tewksbury location, and the applicants replied that they have not. Commissioner Thomas asked if the premises comply with ADA accessibility requirements, and the applicants replied that they do.

Commissioner Lynch asked who the manager would be, and Tsiantkos indicated they would be. Commissioner Lynch asked if a menu was submitted with the application, and Manager Potere confirmed that it was.

Director Postlewaite confirmed that the outdoor seating plan was the same as the one used by the previous establishment.

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 application.



Late Item

Existing All Forms Alcohol License Public Parklet Seating

 Prospect Hill Properties Inc d/b/a The Independent, 75 Union Square Somerville, requesting approval of Public Parklet Seating License. Outdoor Public Parklet Seats: 44 (ALM24-000023)

Director Postlewaite explained that this amendment reflects changes imposed by the city when it permanently removed two of the five total parklet spaces available to the licensee by installing electric vehicle charging stations, and recommended approval of the application. Commissioner Lynch asked the applicant, Jess Willis, if these changes satisfy the required adjustments, who replied that they do.

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.



City of Somerville Licensing Commission

Regular Meeting

Tuesday May 21, 2024 6:00pm 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 6:05 p.m. and adjourned at 8:20 p.m.

<u>Attendance</u>: Chair Joseph Lynch – Present Commissioner Christopher Allen – Present Commissioner Jacques Thomas, Jr. – Present

<u>Others present</u>: Michael Potere – Licensing Operations Manager; Timothy Mitsakis – Police Lieutenant; Darrell Richardson – Fire Captain; Brian Postlewaite – Assistant Director of Engineering; Niki Green – ADA Field Associate.

Communications

1. Minutes of the Regular Licensing Commission Meeting of 4/16/2024.

The Licensing Commission approved the Minutes.

2. Communication from Alcohol Beverage Control Commission regarding amendment process to add outdoor dining areas.

The Licensing Commission placed this Item on file.



3. Communication from Alcohol Beverage Control Commission regarding on-premises licensees permanently selling mixed drinks for off-premises consumption.

The Licensing Commission placed this Item on file.

4. Commissioner Lynch requesting changes to Section 1.18. Extension of Premises to Patio and Outdoor Areas of the Licensing Commission Rules and Regulations to insert subsection b. and renumber the following subsections:

a. Food and alcoholic beverages cannot be served outdoors by a licensed establishment unless and until an application to extend the licensed premises has been approved. Licensees serving alcohol must offer full meal service in the outdoor area.

b. A public hearing must accompany any application to extend the licensed premises to outdoor areas. Notice of the public hearing must be published at least once in a designated local weekly newspaper not less than 10 days and not more than 30 days before the scheduled date of the hearing, and the applicant shall provide written notice of public hearing not less than 10 days and not more than 30 days to all owners and occupants of abutting properties within 300 feet of the proposed licensed premises.

c. It is essential that the licensee have control of the area in order to preclude service to underage persons, to intoxicated persons, etc. The premises must be enclosed by a fence, rope, or other means to prevent patrons or members of the public from wandering in and out. The enclosure must be described in the approved plans.

d. For licensees serving alcohol, the outdoor area must be contiguous to the licensed premises and the licensee must have a view of the outside premises from the inside. Egress from the inside to the outside must be clearly established. There must be adequate exits in case of emergency.

e. Seats, tables, barriers, signs, stands, etc. may only be located as depicted on the plans in the approved license, and shall include at least one accessible table or 10% of total outdoor seating in the license area, whichever is greater. Accessible tables should be distributed by size and location throughout the licensed area.

f. All building entrances, crosswalks, adjacent sidewalks, and outdoor seating shall be connected by an accessible walkway in good repair. If for any reason an accessible



walkway is not available, the licensed use will be suspended, and no outdoor seating may be used until the accessible walkway is restored.

g. The City assumes no responsibility for any damage to private or public property and licensee expressly releases City from all liability, damage, and cost for any damage to private property within the licensed area. In addition, the licensee agrees to indemnify the City against any claims arising out of or in any way related to its failure to properly clear the public right of way as requested by the City. The licensee agrees to add the City as an additional insured party on its liability insurance.

h. Upon notice by the Licensing Commission, Fire Department, Commissioner of Public Works, or the City Engineer, the Equipment in the public way must be removed if the public way needs to be accessed for a public purpose, including but not limited to snow removal, street repair, and utility work. The Licensee also agrees in the event of an emergency, the City may require removal of the Equipment without notice.

i. Any violation of these rules and regulations may result in fines, suspension, revocation of the license, and other punitive actions as determined by the Licensing Commission.

j. Licenses are not transferable.

k. For Public Street Seating only:

(1) Licensee shall provide & maintain trash receptacle and/or provide bussing service during all hours of operation.

(2) Licensee shall post a conspicuous sign requiring patrons to not rearrange seating or relocate seating into the sidewalk or other accessible walks, routes, ramps, or aisles.

(3) Licensee's operation in the licensed area may not begin earlier than 6:00 AM and may not extend beyond Midnight (12:00AM), inclusive of time to setup, breakdown and clean the area. Operation must not exceed the hours of the master license.

(4) Licensed areas in the public street shall only be authorized from April 1 to November30. All seats, tables, barriers, signs, stands, etc. shall be removed from the public street byDecember 1.

(5) Parklet Seating shall include reflective tape or reflective markers to the traffic facing sides of the Parklet structure or railings.

(6) Parklet Seating platforms and other temporary structures shall include removable sections to access all utility manholes and access structures. Licensee shall remove



sections when requested by City at least 24 hours verbal notice will be provided. Emergencies may require shorter or immediate notification.

(7) Parklet Seating platforms and other temporary structures shall maintain a clear drainage path beneath the structure. Licensee shall clean beneath the structures on a monthly basis to clear debris and blockages from the drainage path.

l. For Dog Areas only:

(1) Licensees shall prohibit animals, except service animals, from all outdoor seating areas unless their license explicitly allows dogs in such areas.

(2) Licensees with a license that allows dogs shall ensure that every dog in the outdoor seating area is licensed and leashed, shall prohibit employees from touching or handling dogs, and shall provide bowls of water for the sole use of dogs.

(3) Licensees with a license that allows dogs shall post a conspicuous sign to designate the outdoor dog area, and to prohibit dogs from sitting or standing on any furniture and from eating anything, including scraps from plates, drinkware, or utensils. Dogs may not be seated on the laps of patrons at any time.

Commissioner Lynch proposed removing the phrase "and occupants" from subsection (b); Commissioner Allen proposed adding the following sentence to the end of subsection (b): "Said notice shall also be posted in the premises' storefront visible to the public."

The Licensing Commission approved the above changes as amended:

a. Food and alcoholic beverages cannot be served outdoors by a licensed establishment unless and until an application to extend the licensed premises has been approved. Licensees serving alcohol must offer full meal service in the outdoor area.

b. A public hearing must accompany any application to extend the licensed premises to outdoor areas. Notice of the public hearing must be published at least once in a designated local weekly newspaper not less than 10 days and not more than 30 days before the scheduled date of the hearing, and the applicant shall provide written notice of public hearing not less than 10 days and not more than 30 days to all owners of abutting properties within 300 feet of the proposed licensed premises. Said notice shall also be posted in the premises' storefront visible to the public.



Subsection b was inserted, and the subsequent subsections were correspondingly renumbered.

Special Alcohol Licenses

 Boston Jazz Foundation, 80 Hunnewell Ave Boston, requesting the approval of a Special Alcohol License for Boston Jazz Foundation's International Jazz Day Fundraiser, to be held indoors at 11 Sanborn Court Somerville, on 05/29/24 from 6:30pm-10:30pm (Alcohol Service). (PEL24-000062)

Moriah Phillips, the applicant, appeared before the Commission and explained that their event is to raise funds for the Boston Jazz Foundation's Charles River Jazz Festival, and that the total capacity limit is 100 people. Commissioner Allen asked if the applicant is purchasing their alcohol from an approved vendor, which the applicant confirmed. Commissioner Lynch asked if the bartenders will be TIPS certified, which the applicant also confirmed.

The Licensing Commission approved this Special Alcohol License.

 Small Change Brewing Company, 636 Mystic Ave Somerville, requesting the approval of a Special Alcohol License for Summer in the Park, to be held outdoors at Cross Street East Somerville, on 07/27/24 from 3pm-6pm, rain date 07/28/24 (Alcohol Service). (PEL24-000059)

Although the applicant, Michael Patterson, appeared before the Commission, this Item was continued to the June 2024 Licensing Commission meeting to confirm that a corresponding Public Event License was filed for this location.

 Downeast Cider, 256 Marginal St Boston, requesting approval of a Special Alcohol License for Downeast @ Assembly Row by Club Volo, to be held outdoors at The Park in Assembly Row Somerville, on 05/31/24 thru 6/29/24 from 12pm-11pm (Alcohol Service). (PEL24-000089)

Roisin Gilligan, the applicant, appeared before the Commission and explained that this application is to continue their collaboration with the Volo Coed Sports League, where they share space in a converted shipping container and serve alcoholic cider to the players. Commissioner Lynch asked if there have been any issues with the event, and Gilligan replied that there have not.

The Licensing Commission approved this Special Alcohol License.



- 8. Withdrawn.
- 9. Warehouse XI, 11 Sanborn Ct Somerville, requesting approval of a Special Alcohol License for Pop Music Sessions, to be held indoors at 11 Sanborn Court Somerville, on 05/22/24, 05/24/24, 05/25/24, 05/26/24, 06/01/24, 06/02/24, 06/06/24, 06/13/24, 06/15/24, 06/19/24, 06/20/24, 06/22/24 from 7pm-11pm. (Alcohol Service) (PEL24-000096)

Margaret Morrissey, the applicant, appeared before the Commission and explained that this application reflects numerous different musical events to be held at Warehouse XI, including with musicians from Berklee, as well as reggae and jazz performers. Commissioner Thomas asked if there have been any issues with other events held at Warehouse XI, and Morrissey stated there have not been. Commissioner Lynch asked if a police detail would be necessary for these events and Morrissey replied that there will only be around 50-60 people at each event and a police detail would not be necessary. Commissioner Allen asked if alcohol for the event would be purchased from an authorized distributor and Morrissey replied that it would be.

The Licensing Commission approved this Special Alcohol License.

 Revival Café, 197 Elm St Somerville, requesting approval of a Special Alcohol License for Queer Open Mic Night, to be held indoors at 197 Elm St Somerville, on 06/21/24 from 6pm-9pm. (Alcohol Service) (PEL24-000095)

Jill Quinn, the applicant, appeared before the Commission and stated this event is for an open mic night, that they will be checking IDs at the door, and that the alcohol being served will be beer and wine bought from an authorized distributor. Commissioner Thomas asked how many servers the event would have, and Quinn replied that there would be two and that they are fully TIPS certified.

The Licensing Commission approved this Special Alcohol License.

Special Farmer Winery License

 Far from the Tree, 108 Jackson St Salem, requesting the approval of a Special Alcohol License for Davis Square Farmer's Market, to be held outdoors at Davis Square parking lot, on Wednesdays 05/22/24 thru 11/27/24 from 12pm-6pm (Alcohol Service). (SFW24-000004)

Jessica Crescimano, the applicant, appeared before the Commission and explained that they have a similar license for the Union Square Farmer's Market, and that they would also like to participate in the Davis Square Farmer's Market. Crescimano continued that



every employee participating is TIPS certified, and that they will be selling 4-packs to-go and providing samples.

The Licensing Commission approved this Special Farmer Winery License.

Existing Common Victualer License Public Parklet Seating

12. Rei da Picanha & Events Inc d/b/a Rei da Picanha, 129 Broadway Somerville, requesting the approval of Public Parklet Seating License.
Outdoor Public Parklet Seats: 26 (ALM24-000007)

Felipe Nonato, the applicant, appeared before the Commission, and stated the planned parklet outdoor seating would be located in front of the restaurant. Commissioner Lynch asked how long the business has been operating, and Nonato replied almost 12 years. Commissioner Thomas noted for the record that the proposed parklet has three seats that are wheelchair accessible. ADA Field Associate Green stated that the applicant worked with their department to shift the location of the parklet to accommodate parking lines, and that the application is recommended for approval.

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

The Commission approved the application for Public Parklet Seating.

Existing Common Victualer License Indoor Seating

13. Crave & Co Inc d/b/a Crave & Co Cafe, 198 Holland St Somerville, requesting the approval to reduce indoor seating.
Proposed number of seats: 26
Current number of seats: 48
(ALM24-000020)

Ayman Noufal, the applicant, appeared before the Commission and explained this change is intended to reflect their current occupancy license.

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 application for Indoor Seating.

Existing Common Victualer License Entertainment by Devices Outdoors

 La Cosecha Corp d/b/a La Cosecha, 85B Broadway Somerville, requesting the approval to add Entertainment by Devices Outdoors. (ALM24-000026)

Mariangel Rojas spoke on behalf of the applicant, who was also present, and stated that the outdoor speaker would be used to play classical music, the volume control would be indoors, and that it is a portable JBL speaker that is 3 inches tall.

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

The Commission approved the application for Entertainment by Devices Outdoors.

<u>Existing Wine + Malt Package Store License</u> Change of Stock Interest & Officers/Directors

15. New Reliable Market Inc d/b/a Reliable Market, 45 Union Square Somerville, requesting approval of Change of Stock Interest and Officers/Directors.

Current Officers	Current Title/Position	Current Percentage of Ownership
On Gu Cho	Director, Shareholder	100%
Myo Smith	President, Treasurer	0%
Paul Casserly	Secretary	0%

Current Officers/Directors & Stock Interest:

Proposed Officers/Directors & Stock Interest:

Proposed Officers	Proposed Title/Position	Proposed Percentage of Ownership
On Gu Cho	Shareholder	33%
Myo Smith	President, Treasurer,	34%
	Secretary, Director,	
	Shareholder	
Paul Casserly	Shareholder	33%

(ALM24-000010)



Attorney Libby Pisano appeared on behalf of the applicant, who was also present, and explained that this application reflects an inter-family stock exchange, but that all operations will remain the same. Commissioner Lynch asked how long Paul Casserly has been with the business, and Attorney Pisano replied that they did not have an exact answer.

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 application for Change of Stock Interest and Officers/Directors.

Existing All Forms Alcohol License Public Sidewalk Seating

16. Rincon Mexicano Inc. d/b/a Rincon Mexicano, 99 Broadway Somerville, requesting the approval of Public Sidewalk Seating License. Outdoor Public Sidewalk Seats: 30 (ALM24-000022)

Lorenzo Reyes, the applicant, appeared before the Commission and stated that this application is to make their outdoor dining permanent, as they received a bathroom variance in 2023 and they have since installed an additional bathroom. ADA Field Associate Green recommended this amendment for approval. The Commissioners did not ask any additional questions.

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 application for Public Sidewalk Seating.

Existing All Forms Alcohol License Change of Manager

17. New England Neapolitan Assembly Row LLC d/b/a Salt and Stone, 463 Assembly Row Somerville, requesting the approval of Change of Manager. Current Manager: Yana Krasilnikova Proposed Manager: Sean Olson (ALM24-000027)

Sean Olson, the applicant, appeared before the Commission and explained that they are the owner of the business and that they have been in the restaurant industry for 50 years. The Commissioners did not ask any additional questions.



The Licensing Commission approved the application for Change of Manager.

<u>New</u> <u>All Forms 7 Day Restaurant License</u> <u>Entertainment by Device Indoors</u>

 FoodDy's Kitchen LLC d/b/a FoodDy's Kitchen, 235 Holland Street Somerville, requesting approval of an All Forms 7 Day Restaurant License, and Entertainment by Devices Indoors License. Hours of Operation (Indoor Alcohol & Food Service): Mon-Sun: 10am-10pm

Indoor Seats: 18 (AL23-000010)

Francillon Dabady, the applicant, appeared before the Commission. Commissioner Allen asked if this is the applicant's first restaurant, and Dabady replied that it is not. Commissioner Lynch asked if the applicant has held an alcoholic beverages license in the State of Massachusetts before, and Dabady replied they have not. Commissioner Lynch asked if the applicant is TIPS certified, and Dabady replied they are working on it and that they have staff who are. Commissioner Allen asked if the applicant has received one-day alcohol licenses in the past and if they had any issues, and Dabady replied that they have had one-day licenses without issue in the past.

Commissioner Thomas asked if the premises are wheelchair accessible, and Dabady replied that the premises are not handicapped accessible or ADA compliant. Director Postlewaite clarified that when there is a change in use of a location, and where, as here, there is not extensive construction done to renovate the premises, then the premises do not need to become ADA compliant.

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 application for a New All Forms 7 Day Restaurant License and Entertainment by Devices Indoors.



<u>New</u> <u>All Forms 7 Day Restaurant License</u> Entertainment by Performers Indoors, Sunday Hours & Outdoor Public Parklet Seating

19. Hot Tomatoes 77 Bow Street LLC d/b/a Hot Tomatoes, 77 Bow Street Somerville, requesting approval of an All Forms 7 Day Restaurant License, Entertainment by Performers Indoors, Sunday Hours, and Outdoor Public Parklet Seating License. Hours of Operation (Indoor + Outdoor Alcohol & Food Service): Mon-Thurs: 11am-8pm, Fri-Sun: 11am-9pm Indoor Seats: 42 Outdoor Public Parklet Seats: 12 (AL24-000012)

Mike Tokatlyan, the applicant, appeared before the Commission and stated that they opened their establishment in September 2023 and wanted to get everything running smoothly before applying for an alcohol license and outdoor dining amendment.

Commissioner Lynch asked about the applicant's intentions with their request for entertainment by performers indoors, and Tokatlyan replied that it would be located in the rear of the store and feature small, local acts like comedians and magicians.

Commissioner Thomas asked if the establishment is handicapped accessible, and Tokatlyan replied that it is.

Commissioner Allen asked if the applicant was TIPS certified, and Tokatlyan stated that they are personally in the process of obtaining the certification, and that two staff members already have it.

ADA Field Associate Green recommended the application for approval.

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 application for a New All Forms 7 Day Restaurant License, Entertainment by Devices Indoors, Entertainment by Performers, Sunday Hours, and Outdoor Public Parklet Seating.



<u>New</u> <u>All Forms 7 Day Restaurant License</u> <u>Common Victualer, Entertainment by Devices Indoors, Sunday Hours, Outdoor Public</u> <u>Parklet & Outdoor Private Seating</u>

20. Soundsouth Somerville LLC d/b/a Soundbites, 704 Broadway Somerville, requesting approval of an All Forms 7 Day Restaurant License, Common Victualer, Entertainment by Devices Indoors, Sunday Hours, and Outdoor Public Parklet Seating License.

Hours of Operation {Indoor + Outdoor (Public and Private) Alcohol Service}: Sun: 10am-9pm, Mon-Sat: 11am-9pm Hours of Operation {Indoor + Outdoors (Public and Private) Food Service}: Sun-Sat: 6:30am-9pm

Indoor Seats: 97 Outdoor Public Sidewalk Seats: 11 Outdoor Private Seats: 12 (AL24-000009)

Attorney Carolyn Conway appeared on behalf of the applicant, Kelard Zera, who was also present. Attorney Conway explained that this application is to continue the operation of this establishment under new ownership. Attorney Conway continued that this is a fullservice restaurant with a comprehensive breakfast and lunch menu, and with dinner options to begin expanding as well. Attorney Conway noted that although the license requests alcohol service, alcohol is not the main component of the service.

Commissioner Allen asked when the business was sold and if there was a period where the business was operating and selling alcohol without a license. Attorney Conway explained that the applicant continuing to operate after the business was sold was a misunderstanding, and that the applicant is trying to rectify everything with the present application. Commissioner Allen asked if the applicant has a history in the restaurant industry or has previously owned an alcohol license, and Attorney Conway replied that the applicant does have experience in the industry but has not previously owned an alcohol license. Commissioner Allen asked if the applicant is TIPS certified and Attorney Conway confirmed that they are.

Commissioner Thomas asked about the accessibility of the restaurant, and Attorney Conway replied that nearly every seat in the establishment is handicapped accessible.

Commissioner Allen asked for clarification regarding what was meant by the applicant "managing the liquor license" after the sale. Attorney Conway replied that the applicant believed it could operate the establishment while engaged in the transfer process, to which



Commissioner Allen replied that no paperwork was filed with the Licensing Commission or ABCC during that time.

Commissioner Lynch asked to confirm that the business was sold on December 23, 2023, which Attorney Conway confirmed. In response to a question from Commissioner Lynch, Manager Potere confirmed that the applicant submitted the present application on March 15, 2024.

Commissioner Lynch asked if there is a pledge of any kind from the business owner to the property owner, and Attorney Conway stated that there is not.

Commissioner Lynch stated for the record the applicant's explanation about operating without any of the necessary licenses during the beginning of 2024 was not credible, and that the Somerville Licensing Commission does not tolerate ignorance of the law as a defense.

ADA Field Associate Green stated that the applicant's proposed outdoor dining in a private patio area was not ADA compliant, even though the proposed plans stated that it was. As such, only the proposed sidewalk outdoor seating was recommended for approval. In response, Attorney Conway indicated that the applicant would withdraw their application for outdoor dining on a private patio.

Commissioner Lynch opened the public hearing.

Francaisca Sepulveda, of the Massachusetts Coalition for Occupational Safety and Health, spoke on behalf of some of the applicant's current and former employees, and expressed support for granting the license, but asked that the applicant reinstate employee hours, stop assigning hours based on ethnicity, and honor their previous commitment to offer one week of paid vacation per year. Sepulveda also asked that the applicant's employees be able to speak up to defend their rights without fear of retaliation.

Commissioner Lynch noted for the record that Sepulveda also submitted a letter to the Commission conveying similar information.

Juan Williams, of the Welcome Project, also spoke in support of granting the license, but urged the applicant to treat their employees fairly. Williams spoke on behalf of a former employee of the applicant who was negatively emotionally affected by the applicant and, once the establishment was shutdown for operating without a license, lost their job and has not been able to find a new one.

Mary Goldstein Gelb spoke in favor of granting the license, but urged the applicant to adhere to laws regarding wages and paid time off. Gelb also noted that, when the business was sold, the employees were not made aware of the changes, and some employees who had



worked at the establishment for 20 years lost their jobs as a result. Gelb stated that they would return to the Commission with complaints if the applicant fails to treat their employees fairly.

Commissioner Lynch closed the public hearing.

Attorney Conway stated that issues with wage and hour were problems associated with the previous owner, but that the new owner is working to rectify them.

Commissioner Lynch encouraged the applicant to reach out to its former employees and attempt to rehire them.

The Licensing Commission approved this application for a New All Forms 7 Day Restaurant License, Common Victualer License, Entertainment by Devices Indoors, Entertainment by Performers, Sunday Hours, and Outdoor Public Parklet Seating: 2 in favor (Commissioners Lynch and Allen), 1 opposed (Commissioner Thomas), 0 absent.

The Applicant withdrew their application for Outdoor Private Patio Seating.

<u>New</u> <u>All Forms 7 Day Restaurant License</u> <u>Common Victualer</u>

21. MCKD LLC d/b/a Novel, 1153 Broadway Somerville, requesting approval of an All Forms 7 Day Restaurant License and Common Victualer License. Hours of Operation (Indoor Alcohol & Food Service): Mon: Closed, Tues-Thurs: 5pm-11pm, Sat: 4pm-12am, Sun: 3pm-11pm Indoor Seats: 50 (AL24-000014)

Mary Kurth, the applicant, appeared before the Commission and clarified that the proposed operating hours for Fridays are 4:00pm-12:00am. Kurth explained that the concept of the restaurant is elevated, creative cuisine and beverages, combined with a skilled chef and reasonable prices. Commissioner Lynch asked if the applicant has had any issues or complaints with their other license for Spoke Wine Bar, and Kurth replied they have not.

Commissioner Thomas asked if the applicant had plans for outdoor dining, and Kurth replied that they might consider it but want to refine their business operations before doing so.



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 application for a New All Forms 7 Day Restaurant License and Common Victualer License with the following hours of operation:

Hours of Operation (Indoor Alcohol & Food Service): Mon: Closed, Tues-Thurs: 5pm-11pm, Fri-Sat: 4pm-12am, Sun: 3pm-11pm

<u>Transfer & Pledge of License</u> <u>All Forms 7 Day Restaurant License-Private</u> <u>Common Victualer, Entertainment by Devices Indoors + Outdoors, Performs Indoors,</u> <u>Outdoor Private Seating, 2AM, and Pledge of License</u>

22. GTCFF LLC d/b/a Tall Order, 70 Beacon Street Somerville, requesting approval of a Transfer and Pledge of License of an All Forms 7 Day Restaurant License from Thirsty Scholar Barroom LLC d/b/a The Thirsty Scholar and a Common Victualer, Entertainment by Devices Indoors + Outdoors, Performers Indoors, Outdoor Private Seating, and 2AM License. Hours of Operation (Indoor Alcohol Service): Sun: 5pm-1am, Mon-Thurs: 5pm-1am, Fri-Sat: 5pm-2am Hours of Operation (Outdoor Food + Alcohol Service): Mon-Sun: 5pm-10pm Hours of Operation (Indoor Food Service): Sun: 5pm-11pm, Mon-Thurs: 5pm-11pm, Fri-Sat: 5pm-12am

Indoor Seats: 74 Outdoor Private Seats: 42

(AL24-000013)

Attorney Adam Barnosky appeared on behalf of the applicant and explained that this is an application based on the transfer of a license from the previous occupant, Thirsty Scholar. Attorney Barnosky explained that the basic layout of the premises will remain the same, but that the applicants would be updating the drink and menu options to include classic and contemporary cocktails, a variety of non-alcoholic beverages, and modern American cuisine. Attorney Barnosky introduced the applicants, Daren Swisher (who appeared inperson) and Joseph Cammarata (who appeared via remote participation), as having substantial experience in the restaurant industry, including operating restaurants and bars in the area that have won numerous awards.



Attorney Barnosky also introduced modified proposed hours:

Hours of Operation (Indoor Food and Alcohol Service): Sun: 11am-1am, Mon-Thurs: 12pm-1am, Fri: 12pm-2am Sat:11am-2am Hours of Operation (Outdoor Food and Alcohol Service): Mon-Fri: 12pm-10pm Sat-Sun:11am-10pm

Attorney Barnosky explained that indoor entertainment would not change from the previous occupant, and that outdoor music would play below conversational levels.

Attorney Barnosky also explained that the applicant is seeking a pledge of the license as part of the transaction, as the applicant is purchasing the business assets from the prior operator paid for in part through seller financing, and the seller seeks to take back a pledge as security for the loan.

Commissioner Lynch asked if a financial institution is involved in the transaction, and Attorney Barnosky replied that it is purely seller-to-buyer.

Commissioner Allen asked if the previous occupant had a license for outdoor entertainment, and Manager Potere replied that they did not.

Commissioner Thomas asked if the layout for the premises is staying the same for the purposes of ADA compliance, capacity, and seating, and Attorney Barnosky confirmed that it is.

Commissioner Lynch explained that the Commission has had a longstanding policy of requiring a period of operation of one-year before granting a license to serve alcohol until 2 a.m., but that in this case an exception was reasonable given the history of the use of the premises, and because Ward 2 City Councilor J.T. Scott is aware of and does not object to these hours.

Daren Swisher, the applicant, appeared before the Commission and further clarified that any outdoor music would be below conversational levels. Commissioner Lynch noted that the volume for outdoor speakers must be controlled inside the premises.

Commissioner Lynch noted for the record that the applicant received four letters of support from members of the public.

ADA Field Associate Green stated that the application has been reviewed by the Engineering Department and is recommended for approval.

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 application for Transfer & Pledge of License, All Forms 7 Day Restaurant License-Private, Common Victualer License, Entertainment by Devices Indoors + Outdoors, Performers Indoors, Outdoor Private Seating, 2AM, and Pledge of License with the following hours of operation:

Hours of Operation (Indoor Food and Alcohol Service): Mon-Thurs: 12pm-1am, Fri: 12pm-2am, Sat: 11am-2am, Sun: 11am-1am Hours of Operation (Outdoor Food and Alcohol Service): Mon-Fri: 12pm-10pm, Sat-Sun: 11am-10pm

Late Item

Special Alcohol License

 Indignant Brewing Co LLC, 328 Broadway Somerville, requesting approval of a Special Alcohol License for Gilman Park, to be held outdoors at area in front of Gilman T Stop (corner of Medford St and Pearl St), on 06/15/24, 06/29/24, 07/13/24, 07/27/24, 08/10/24, 09/07/24 from 12pm-8pm (Alcohol Service). (PEL24-000097)

Breck Bailey, the applicant, appeared before the Commission and explained that this application is to participate in the city's planned Gilman Park Community Event, and that their component would be six beer garden events on six Saturdays during the course of the summer. Commissioner Allen asked if the area in which alcohol is served will be cordoned off from the rest of the event, and Bailey replied that it would. Commissioner Allen asked if they planned on using wristbands for age verification, which Bailey confirmed. Manager Potere noted that this application is associated with a Public Event License application that is pending before the City Council for the use of this city-owned property. Commissioner Allen proposed approving this license on the condition that the associated Public Event License is also approved.

The Licensing Commission approved this application for a Special Alcohol License on the condition that the associated Public Event License is also approved.



City of Somerville Licensing Commission

Regular Meeting

Tuesday June 18, 2024 6:00pm Remote Participation Only

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 6:01 p.m. and adjourned at 7:17 p.m.

<u>Attendance</u>: Chair Joseph Lynch – Present Commissioner Christopher Allen – Present Commissioner Jacques Thomas, Jr. – Present

<u>Others present</u>: Michael Potere – Licensing Operations Manager; Lieutenant Timothy Mitsakis – Somerville Police Department; Captain Darrell Richardson – Somerville Fire Department; Brian Postlewaite – Assistant Director of Engineering.

Communications

1. Minutes of the Regular Licensing Commission Meeting of 5/21/2024.

The Licensing Commission approved the Minutes.

2. Communication from Alcohol Beverage Control Commission ("ABCC") Advisory Regarding Food and Beverages Containing Hemp Derived CBD and/or THC on Licensed Premises.

The Licensing Commission placed this Item on file.



Special Alcohol Licenses

 Downeast Cider, 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 in Assembly Row Somerville, on 06/30/24 thru 07/29/24 from 12pm-10:30pm (Alcohol Service). (PEL24-000099)

Roisin Gilligan, the applicant, appeared before the Commission and explained that this application is to continue their collaboration with the VOLO Coed Sports League, where they share space in a converted shipping container and serve alcoholic cider to the players. Commissioner Thomas asked if there have been any issues with the event, and Gilligan replied that there have not.

The Licensing Commission approved this Special Alcohol License.

4. The Center for Arts at the Armory, 191 Highland Avenue Somerville, requesting approval of a Special Alcohol License for Bar Stars, to be held outdoors at rooftop of Block 3 Garage at Assembly Row Somerville, on 07/11/2024 with a raindate of 07/12/2024 from 6pm-8:30pm. (Alcohol Service) (PEL24-000111)

Stephanie Scherpf, the applicant, appeared before the Commission and explained that this event is a competition among bartenders from restaurants in Assembly and that it will be held on the roof of the Block 3 Garage in that area. Commissioner Thomas asked if there were any issues at the event last year, and Scherpf stated there were not. Commissioner Allen asked if the police had been contacted regarding a detail, and Scherpf replied that they have private security, and Haley King Suarez, representing the applicant, also stated that the event is not in an area that is accessible to the public. Lieutenant Mitsakis asked for clarification regarding who has access to the rooftop, and Suarez stated that only ticketed patrons could come to the event. Lieutenant Mitsakis stated they would come to the rooftop itself to take a look, and Suarez confirmed that could be coordinated. Captain Richardson asked if the applicant would have a fire detail, and Suarez confirmed that they would.

The Licensing Commission approved this Special Alcohol License with the condition that a fire detail is present during the event.



 Notch Brewing, 283 Derby St Salem, requesting the approval of a Special Alcohol License for Gilman Square Biergarten, to be held outdoors at Gilman Park (PEL24-000106, issued on May 30, 2024), on 07/20/2024, 08/04/2024, 08/17/2024, 08/24/2024, 08/31/2024 from 12pm -8pm with raindates of 07/21/2024, 08/18/2024, 08/25/2024, 09/01/2024 from 12pm-8pm. (PEL24-000127)

Nick Caso, the applicant, appeared before the Commission and explained that their application is to host a beer garden in Gilman Park. Commissioner Thomas asked if they have had issues with past events, and Caso replied they have not. Commissioner Lynch asked if all of the applicant's bartenders are TIPS certified, and Caso confirmed that they are. Commissioner Lynch how the applicant will control crowds and confirm ages, and Caso replied that they typically have ropes or stanchions and that they check IDs and stamp those over 21 with a unique hand stamp.

The Licensing Commission approved this Special Alcohol License.

 Portuguese-American Civic League, 26 Springfield St Somerville, requesting the approval of a Special Alcohol License for Holy Ghost Feast, to be held indoors and outdoors at club's parking lot, on 07/12/2024, 07/13/2024, and 07/14/2024 from 7pm-12am. (PEL24-000109)

Joe Vasconcelos, the applicant, appeared before the Commission and stated that this will be the festival's 19th year, and they have not had any issues in the past. Vasconcelos added that the desired hours to serve alcohol on Sunday, July 14, 2024 are 12:00 p.m. (noon) until 12:00 a.m. (midnight). Commissioner Thomas asked how many people would be attending the event, and Vasconcelos replied between 50 and 200.

The Licensing Commission approved this Special Alcohol License on 07/12/2024 and 07/13/2024 from 7pm-12am, and on 07/14/2024 12pm-12am.

Existing Marijuana Establishment License Change of Hours & Change of DBA

 Union Leaf Inc., 71 Union Square Somerville, requesting the approval of a Change of Hours and Change of DBA. Current DBA: Union Leaf Proposed DBA: Cookies Current Hours: Mon-Sat: 10am-8pm, Sun: 10am-5pm Proposed Hours: Mon-Sat: 9am-11pm, Sun: 10am-11pm (MEA24-000003)

Attorney Walter Sullivan appeared before the Commission on behalf of the applicant, Binoj Pradhan, who was also present, and explained that the change of hours requested is



consistent with the Licensing Commission Rules, and that the DBA change is intended to rectify a clerical error.

Commissioner Lynch asked if Cookies is a national brand, and Attorney Sullivan confirmed that it is, but that it is merely a licensed brand name, and the applicant would still comply with state regulations requiring all marijuana be produced within the state. Commissioner Lynch asked if a Cookies logo would be visible from the street, and Attorney Sullivan stated that the storefront would be changed. Commissioner Lynch stated for the record that he is only aware of one marijuana retailer named Cookies in the state, and asked Attorney Sullivan if they had any pictures of the proposed signage. Attorney Sullivan replied that they did not have any photos or designs to share with the Commission. Commissioner Lynch expressed concern regarding how the name Cookies would appear to children and hesitancy regarding the signage without being able to see it first.

Binoj Pradhan, the applicant, noted that the Cookies in Worcester has a very large sign, that another location was approved in Springfield, and that they are proposing to do what Worcester and Springfield are doing.

Commissioner Lynch expressed a preference to continue the name change until the July Licensing Commission meeting in order to obtain an opinion from the City Solicitor, and to only take up the vote on the proposed change of hours during this meeting.

Commissioners Thomas and Allen expressed concern regarding the appropriateness of signage for a marijuana retailer named Cookies in Union Square.

The Licensing Commission approved the requested Change of Hours and continued the requested Name Change to the July 2024 Licensing Commission meeting.



Existing Common Victualer License Change of Corporation & DBA Name

 Style Café Inc d/b/a Style Cafe, 60 Middlesex Avenue Somerville, requesting the approval of a Change of Corporation and DBA Name. Current Corporation and DBA Name: Style Café Inc d/b/a Style Cafe Proposed Corporation and DBA Name: MamaAna Inc d/b/a MamaAna Inc (ALM24-000028)

Attorney Samantha Downing appeared on behalf of the applicant, Edenir Liz, also present, and explained that the restaurant will remain the same, it is just the corporation and name that are changing. The Commissioners asked no further questions.

The Licensing Commission approved the requested Change of Corporation and Change of DBA Name.

Existing Wine and Malt Alcohol License Change of Hours

 Amelia's Taqueria V Inc d/b/a Amelia's Taqueria, 475 Revolution Drive Somerville, requesting the approval of Change of Hours. Current Indoor Food & Alcohol Service: Mon-Sat: 10am-11pm, Sun: 10am-9pm Proposed Indoor Food Service: Mon-Sat: 7am-11pm, Sun: 8am-9pm (ALM24-000030)

Amir Shiranian, the applicant, appeared before the Commission and explained this was a change in the hours of food service only and that it is meant to accommodate the addition of breakfast sales to their business. The Commissioners asked no additional questions.

The Licensing Commission approved the requested Change of Hours.



Existing All Forms Alcohol License Change of Hours

10. Ambisco Inc d/b/a Redbones Barbecue, 55 Chester Street Somerville, requesting the approval of Change of Hours.
Current Indoor & Public Outdoor Seating (Food Service): Sun-Mon: 11:30am-10:30pm, Tues-Thurs: 11:30am-11:30pm, Fri-Sat: 11:30am-12:30am Current Indoor & Public Outdoor Seating (Alcohol Service): Mon-Sun: 11:30am-12:45am
Proposed Indoor & Public Outdoor Seating (Food + Alcohol Service): Mon: Closed, Sun, Tues-Thurs: 11:30am-10:30pm, Fri-Sat: 11:30am-12:30am (ALM24-000031)

Darcey Gregory, the applicant, appeared before the Commission and explained that they are updating their hours due to confusion, and noted that they started closing on Mondays during the pandemic and saw a benefit to their business as a result. The Commissioners asked no additional questions.

The Licensing Commission approved the requested Change of Hours.

Existing All Forms Alcohol License Removing Public Sidewalk Outdoor Seating

 Fat Hen LLC d/b/a La Brasa, 124 Broadway Somerville, requesting the approval to remove Public Sidewalk Outdoor Seating. (ALM24-000002)

Daniel Bojorquez, the applicant, appeared before the Commission and explained that they are requesting the removal of their outdoor dining license due to cost and it not benefitting their business. The Commissioners asked no additional questions.

The Licensing Commission approved the requested change to remove outdoor dining from the applicant's license.



<u>New</u> <u>Common Victualer License</u> <u>Entertainment by Device Indoors & Outdoor Public Sidewalk Seating</u>

12. HappyFaceEats LLC d/b/a Wicked Cafe, 199C Highland Avenue Somerville, requesting approval of a Common Victualer, Entertainment by Devices Indoors, and Outdoor Public Sidewalk Seating License.
Hours of Operation (Indoor and Public Outdoor Seating Service): Mon-Sat: 7am-2pm, Sun: 7am-1pm Indoor Seats: 15 Outdoor Public Parklet Seats: 12 (AL23-000045)

Michael Alarcon, the applicant and owner, appeared before the commission and explained that they took over the café seven months ago and that they offer the community breakfast, lunch, and organic coffee and tea options. Commissioner Lynch asked about the entertainment devices planned, and Alarcon replied that they currently have speakers but may later add a television and noted that their application included both devices.

Director Postlewaite stated that the applicant's outdoor seating plan is very similar to their predecessor's. Director Postlewaite recommended that the application be approved with a condition: it was noted for the record that construction is planned for Highland Avenue and it may interfere with the applicant's parklet in one or two years, and that they will need to remove it during that time.

Captain Richardson asked if the parklet would block any fire hydrants, and Director Postlewaite replied that it would not.

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 application for a Common Victualer License, Entertainment by Devices Indoors License; the Licensing Commission approved the Outdoor Public Parklet Seating License on the condition that it is removed when necessary to accommodate construction on Highland Avenue.



<u>New</u> <u>City Quota</u> <u>All Forms 7 Day Restaurant License</u> Entertainment by Performers Indoors, Sunday Hours & Outdoor Public Parklet Seating

13. Hot Tomatoes 77 Bow Street LLC d/b/a Hot Tomatoes, 77 Bow Street Somerville, requesting approval of an All Forms 7 Day Restaurant License, Entertainment by Performers Indoors, Sunday Hours, and Outdoor Public Parklet Seating License. Hours of Operation: Indoor & Outdoor (Alcohol + Food Service): Mon-Thurs: 11am-8pm, Fri-Sun: 11am-9pm Indoor Seats: 42 Outdoor Public Parklet Seats: 12 (AL24-000012)

Originally on the May 21, 2024 Licensing Commission Agenda, scheduled for rehearing to comply with abutter notice requirement.

Mike Tokatlyan, the applicant, appeared before the Commission, and explained that they corrected a clerical error and provided the Clerk's Office with the proper documentation of abutter notification compliance.

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 application for a New All Forms 7 Day Restaurant License, Entertainment by Devices Indoors License, Entertainment by Performers License, Sunday Hours License, and Outdoor Public Parklet Seating License.



<u>New</u> <u>Assembly Square Area</u> <u>All Forms 7 Day Restaurant License</u> <u>Common Victualer, Entertainment by Devices Indoors + Outdoors, Sunday Hours,</u> <u>Outdoor Public Sidewalk Seating</u>

14. Alpine Restaurant Group Inc d/b/a Pizzeria Posto, 400 Assembly Row, 502 Somerville, requesting approval of an All Forms 7 Day Restaurant License, Common Victualer, Entertainment by Devices Indoors + Outdoors, Sunday Hours, and Outdoor Public Sidewalk Seating License.
Hours of Operation: Indoor & Public Outdoor (Alcohol + Food Service): Mon-Sat: 11:30am-9pm, Sun: 11:30am-6pm Indoor Seats: 131 Outdoor Public Sidewalk Seats: 73 (AL24-000011)

Attorney Paul Metscher appeared on behalf of the applicant, Joseph Cassinelli, who was also present, and explained that the restaurant Posto existed in a different location and is seeking to relocate to Assembly, and that the concept of modern Italian cuisine would carry over. Attorney Metscher continued that the proposed manager, Kim Winters, managed the previous location and is TIPS certified, and that the entertainment by devices would be a television indoors only and recorded music indoors and outdoors. Attorney Metscher clarified that the seat count being applied for is reflected in the floorplans submitted on May 30, 2024 and approved by Niki Green in Engineering on May 31, 2024, reflecting 131 indoor seats and 73 outdoor seats.

Commissioner Thomas asked if the applicant's license was private, and Cassinelli replied that it is city-owned. Commissioner Lynch asked if there have been any problems at the applicant's Elm Street location, and Cassinelli replied there have not been.

Director Postlewaite stated that there are no concerns regarding this application and recommended it to be approved.

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 application for a New All Forms 7 Day Restaurant License, Common Victualer License, Entertainment by Devices Indoors and Outdoors License, Sunday Hours License, and Outdoor Public Sidewalk Seating License.



Late Item

<u>New</u> Common Victualer License

15. Heart JR MDBY LLC. d/b/a Mamaleh's Delicatessen, 101 South St Somerville, requesting the approval of a Common Victualer License.
Hours of Operation: Mon-Sun: 7am-4pm
Indoor Seats: 39 (AL24-000019)

Alon Munzer, the applicant, appeared before the Commission and explained that they are taking over the space of a previous coffee shop, and that they also have locations in Cambridge, Brookline, and Boston. The Commissioners asked no additional questions.

The Licensing Commission approved this New Common Victualer License.



City of Somerville Licensing Commission

Regular Meeting

Tuesday July 16, 2024 6:00pm

DRAFT MINUTES

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The meeting was called to order by Commissioner Joseph Lynch at 6:00 p.m. and adjourned at 7:34 p.m.

<u>Attendance</u>: Chair Joseph Lynch – Present Commissioner Christopher Allen – Present Commissioner Jacques Thomas, Jr. – Present

<u>Others present</u>: Michael Potere – Licensing Operations Manager; Lieutenant Timothy Mitsakis – Somerville Police Department; Captain Darrell Richardson – Somerville Fire Department; Brian Postlewaite – Director of Engineering.

Communications

1. Minutes of the Regular Licensing Commission Meeting of 6/18/2024.

The Licensing Commission approved the minutes.



2. City Clerk conveying an update on Host Community Agreements for Marijuana Retail Establishments, which have all been updated pursuant to new regulations and transmitted for applicant signatures, and which include an extension for 5 years.

The Licensing Commission placed this Item on file.

Status Report

3. 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	1133B Broadway	All Forms	Private
	d/b/a The Basement			

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

Attorney Elizabeth Pisano appeared on behalf of the licensee and indicated that the licensee has determined that making the premises at 1133B Broadway ADA complaint is cost prohibitive. Attorney Pisano requested an additional 90 days for the licensee to explore other addresses or potential transfer or partnership options for this private license. Commissioner Lynch stated that this Item would be continued for 90 days, with the understanding that the request is defensible at this point, but that this has been continued for over two years.

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

Special Alcohol Licenses

 Boston Bouldering Project, 12A Tyler Street Somerville, requesting approval of a Special Alcohol License for Summer of Climb: Boston, to be held indoors and outdoors at 12A Tyler Street, on 07/20/24 from 5pm-9pm (Alcohol Service). (PEL24-000121)

Liz Joyce Zabatta, the applicant, appeared before the Commission and stated that this event is a rock-climbing competition and that the alcohol will be served in a gym courtyard that will provide for an ability to separate and confirm that attendees are over 21. Zabatta continued that the alcohol service will be provided by the Aeronaut Brewery, and that their



servers are TIPS Certified. Commissioner Lynch asked how many people would be in attendance, and Zabatta replied approximately 300.

The Licensing Commission approved this Special Alcohol License.

 Indignant Brewing Co LLC d/b/a Winter Hill Brewing, 328 Broadway Somerville, requesting approval of a Special Alcohol License for G'24, to be held outdoors at Mad Oyster Studio parking lot (2 Bradley Street), on 09/14/24 with a raindate of 09/15/24 from 12pm-8pm. (Alcohol Service) (PEL24-000148)

Breck Bailey, the applicant, appeared before the Commission and explained that this application is to serve alcohol at the Gilman Square Neighborhood Association Block Party, and that this is the fifth or sixth time they have participated in it. Commissioner Lynch asked if the location is in the parking lot adjacent to Sarma, and Bailey confirmed that it is. Commissioner Thomas asked if there were any issues with the event during the past two years, and Bailey stated there were not. Commissioner Allen asked if access to the parking lot would be controlled for age verification, and Bailey confirmed that it would be. Commissioner Lynch asked how many people would be attending, and Bailey replied around 100.

The Licensing Commission approved this Special Alcohol License.

 Downeast Cider, 256 Marginal Street Boston, requesting the approval of a Special Alcohol License for Downeast @ Assembly Row by Club VOLO, to be held outdoors at The Park in Assembly Row, on 07/30/24 thru 8/28/24 from 11am-11pm. (Alcohol Service) (PEL24-000139)

Roisin Gilligan and Nick Fay, the applicants, appeared before the Commission, and explained that this application is to continue their operation of a cider pop up stand in Assembly Square. Commissioner Lynch asked if there have been any complaints, and Fay replied there have not. The Commissioners asked no additional questions.

The Licensing Commission approved this Special Alcohol License.



Existing Marijuana Establishment License Change of DBA

 Union Leaf Inc, 71 Union Square Somerville, requesting the approval of Change of DBA. Current DBA: Union Leaf Proposed DBA: Cookies (MEA24-000003) Continued from 6/18/2024 Licensing Commission Meeting.

Attorney Walter Sullivan appeared on behalf of the applicant, Binoj Pradhan, who was also present. Commissioner Lynch stated this Item was continued from the June Licensing Commission meeting so the Somerville City Solicitor could opine as to whether the name "Cookies" is legal under Massachusetts Law. During that time, on July 5, 2024, the Massachusetts Cannabis Control Commission (CCC) approved the applicant's name change at the state level and determined that the name "Cookies" did not appeal to persons under the age of 21. The City Solicitor's opinion echoed the CCC's. Commissioners Allen and Thomas had no additional questions for the applicant.

The Licensing Commission approved the application for a Change of DBA.

Existing All Forms Alcohol License Change of Hours

 Alpine Restaurant Group Inc d/b/a Pizzeria Posto, 400 Assembly Row #502 Somerville, requesting the approval of Change of Hours. Current Indoor and Public Outdoor Seating (Food and Alcohol Service): Mon-Sat: 11:30am-9pm, Sun: 11:30am-6pm Proposed Indoor and Public Outdoor Seating (Alcohol Service): Mon-Sun: 10am-11:30pm Proposed Indoor and Public Outdoor Seating (Food Service): Sun-Sat: 7am-11:30pm (ALM24-000036)

Attorney Paul Metscher appeared on behalf of the applicant and stated that this is an application to amend a license approved during the June Licensing Commission meeting to increase their operating hours to serve food and alcohol later into the evening, and to open earlier in the morning to offer breakfast. The Commissioners asked no additional questions.

The Licensing Commission approved the application for a Change of Hours.



Existing All Forms Alcohol License Public Parklet Outdoor Seating

 Soba Ya LLC d/b/a Sugidama, 234 Elm Street Somerville, requesting the approval of Public Parklet Outdoor Seating. Outdoor Public Parklet Seats: 16 (ALM24-000029)

Attorney Kristine Lee appeared on behalf of the applicant and stated that this application is to add outdoor seating to an existing all forms alcohol license, and that these seats would be removed from the indoor dining setup to comply with state bathroom requirements. Attorney Lee noted for the record that their client is aware an additional amendment will need to be filed to bring those seats back inside the establishment. Attorney Lee stated that the applicant has been in business in Somerville for eight years and has not had any issues with their alcohol license, and that Ward Six City Councilor Lance Davis supports this application.

ADA Field Associate Green stated the outdoor dining plan was reviewed and the Engineering Department recommends it for approval.

Commissioner Lynch opened the public hearing. Everett Liborio commented that they had a concern with traffic and rodents, and Attorney Lee stated their client would be willing to communicate with Liborio directly to address any concerns. No additional members of the public offered comments on this Item. Commissioner Lynch closed the public hearing.

The Licensing Commission approved this application for a Public Parklet Outdoor Seating License.

Existing All Forms Alcohol License Change of Manager

10. Flatbread Somerville Inc d/b/a Flatbread, 45 Day Street Somerville, requesting the approval of Change of Manager.
Current Manager: Nevada Dawn Anderson Proposed Manager: Melissa Merrill (ALM24-000034)

Jim Harrison, the applicant, appeared before the Commission and stated this is an application to replace a manager who recently left the position. Harrison stated the proposed manager has worked for the company for 10 years and has certificates in ServSafe, Choke Safe, TIPS, and Crowd Management. The Commissioners did not ask any additional questions.



The Licensing Commission approved this application for a Change of Manager.

<u>New</u> Common Victualer License & Entertainment by Device Indoors

11. Skull & Bones LLC d/b/a Taco Party, 711 Broadway Somerville, requesting approval of a Common Victualer and Entertainment by Devices Indoors License. Hours of Operation: Mon-Thurs: 11am-9pm, Fri-Sat: 11am-10pm, Sun: 12pm-9pm Indoor Seats: 23 (AL24-000018)

Sarah Ramirez, the applicant, appeared before the Commission and stated they have worked for Taco Party for over five years and are purchasing the business. Ramirez noted that they are not making any changes, are not going to serve alcohol, and are planning to serve only Vegan food. Commissioner Thomas asked about the entertainment by devices, and Ramirez replied that it would be a single Bluetooth speaker. Commissioner Thomas asked about wheelchair accessibility, and Ramirez replied that they are ADA compliant and have an accessible bathroom with a self-closing door.

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 application for a New Common Victualer License and Entertainment by Device Indoors License.

<u>New</u> <u>Common Victualer License, Entertainment by Device Indoors and Outdoor Public</u> <u>Sidewalk Seating</u>

12. Old and New Hospitality LLC d/b/a True Grounds Cafe, 717 Broadway Somerville, requesting approval of a Common Victualer, Entertainment by Devices Indoors, and Outdoor Public Sidewalk Seating License.
Hours of Operation (Indoor and Outdoor): Mon-Sun: 7am-9pm
Indoor Seats: 26
Outdoor Public Sidewalk Seats: 12
(AL24-00020)



Fernando Aponte and Baily Zuniga, the applicants, appeared before the Commission and indicated they are in the process of purchasing this business, and that they intend to keep it running in largely the same way. Aponte indicated that the number of indoor seats will be 26, not 28 as originally noted in their application.

Commissioner Thomas asked if the indoor and outdoor seating areas are wheelchair accessible, and Aponte confirmed that they are.

ADA Field Associate Green stated that the applicant's outdoor dining plan received complaints last year because it was blocking a bike rack, but that issue has been resolved, and that the plan was reviewed and the Engineering Department recommends it for approval.

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 application for a New Common Victualer License, Entertainment by Device Indoors License, and Outdoor Public Sidewalk Seating License.

<u>New</u> <u>All Forms 7 Day Restaurant License</u> <u>Common Victualer, Entertainment by Devices Indoors,</u> <u>Sunday Hours and Outdoor Public Parklet Seating</u>

13. Atelier PRB LLC d/b/a PRB Boulangerie, 120 Beacon Street Somerville, requesting approval of an All Forms 7 Day Restaurant License, Entertainment by Devices Indoors, Sunday Hours, and Outdoor Public Parklet Seating License. Hours of Operation: Indoor and Outdoor (Alcohol Service): Mon-Sat: 8am-8pm, Sun: 10am-8pm Hours of Operation: Indoor and Outdoor (Food Service): Mon-Sun: 7am-8pm Indoor Seats: 44 Outdoor Public Parklet Seats: 40 (AL24-000007)

Commissioner Allen recused himself from this Item as an abutter.

Attorney Elizabeth Pisano appeared on behalf of the applicants, Loic Le Garrec and Luke Le Garrec, both of whom were also present. Attorney Pisano explained that the proposed owners have several alcohol licenses in Massachusetts and have never had any issues with



them. Attorney Pisano continued that the restaurant would be French-themed and have various baked goods as well.

Commissioner Thomas asked if the outdoor dining seats are ADA compliant, and Attorney Pisano and Le Garrec both confirmed that they are.

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

Commissioner Lynch noted for the record that a comment was received from a member of the public inquiring about noise levels, and Le Gerrec stated that the music will not be changing, it will just be for background during the day, there will be no music outdoors, and that there will be no live performers.

The Licensing Commission approved this application for a New All Forms 7 Day Restaurant License, Common Victualer License, Entertainment by Devices Indoors License, Sunday Hours License, and Outdoor Public Parklet Seating License.

<u>New</u> <u>All Forms 7 Day Restaurant License</u> Common Victualer, Entertainment by Devices Indoors and Sunday Hours

14. Dog Child Enterprises LLC d/b/a Mimi's Chuka Diner, 14 Tyler Street, Suite 102 Somerville, requesting approval of an All Forms 7 Day Restaurant License, Common Victualer, Entertainment by Devices Indoors, and Sunday Hours License. Hours of Operation: Indoor (Alcohol Service): Mon: Closed, Tues-Thurs: 4pm-10pm, Fri: 4pm-11pm, Sat: 10am-11pm, Sun: 10am-3pm Hours of Operation: Indoor (Food Service): Mon: 11am-9pm, Tues-Thurs: 11am-10pm, Fri: 11am-11pm, Sat: 10am-11pm, Sun: 10am-8pm Indoor Seats: 27 (AL24-000010)

Commissioner Lynch recused himself from this Item as an abutter.

Attorney Elizabeth Pisano appeared on behalf of the applicant, Ted Woo, who was also present. Attorney Pisano stated that Woo has extensive experience in the Boston-area restaurant industry, and that the restaurant will have an Asian fusion theme. Woo added that they are excited to bring their experience and heritage to bear on the cuisine in their proposed restaurant. Woo also explained that the reason there will be no alcohol service on Mondays is due to their location being in the Aeronaut Brewery building, and their alcohol



service hours will coincide with their seated dining hours, which are takeout only on Mondays.

Commissioner Allen asked if alcoholic beverages served by the applicant's restaurant would be transported into the Aeronaut Brewery, and Woo said they would not.

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

The Licensing Commission approved this application for a New All Forms 7 Day Restaurant License, Common Victualer License, Entertainment by Devices Indoors License, and Sunday Hours License.

<u>New</u> <u>Assembly Row Area</u> <u>All Forms 7 Day Restaurant License</u> <u>Common Victualer, Entertainment by Devices and Patrons Indoors and Sunday Hours</u>

15. Good Time Golf LLC d/b/a Good Time Golf, 470 Revolution Drive Somerville, requesting approval of an All Forms 7 Day Restaurant License, Common Victualer, Entertainment by Devices and Patrons Indoors, and Sunday Hours License. Hours of Operation: Indoor (Alcohol Service): Mon-Thurs: 8am-10pm, Fri-Sat: 8am-12am, Sun: 10am-9pm Hours of Operation: Indoor (Food Service): Mon-Thurs: 7am-10pm, Fri-Sat: 7am-12am, Sun: 7am-9pm Indoor Seats: 35 (AL24-000016)

Thanh Nguyen and Dominic Nguyen, the applicants, appeared before the Commission and stated they are applying to open an indoor golf entertainment center. Commissioner Lynch asked about the request to serve alcohol beginning at 8am, and T. Nguyen replied that they did not anticipate many people taking advantage of it, but often people enjoy alcoholic beverages earlier in the day while golfing, and they want their customers to have that option.

Commissioner Thomas asked about the layout of the space, and T. Nguyen stated there would be six bays for people to swing golf clubs, and they would be able to take a full swing and hit the ball into a padded curtain, with a computer virtually tracking the ball's travel.



Commissioner Lynch asked if the applicants are TIPS Certified, and they confirmed that they are.

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 application for a New All Forms 7 Day Restaurant License, Common Victualer License, Entertainment by Devices and Patrons Indoors License, and Sunday Hours License.

<u>New</u> <u>Assembly Row Area</u> <u>Wine and Malt 7 Day Restaurant License</u> <u>Common Victualer, Entertainment by Devices Indoors, Sunday Hours, and Outdoor</u> <u>Private Seating</u>

16. MamaAna Inc d/b/a MamaAna Inc, 60 Middlesex Avenue Somerville, requesting approval of a Wine and Malt 7 Day Restaurant License, Common Victualer, Entertainment by Devices Indoors, Sunday Hours, and Outdoor Private Seating License. Hours of Operation: Indoor and Outdoor (Alcohol Service): Mon-Sat: 8am-6pm, Sun: 10am-5pm Hours of Operation: Indoor and Outdoor (Food Service): Mon-Sat: 7am-6pm, Sun: 8am-5pm Indoor Seats: 32 Outdoor Private Seats: 26 (AL24-000008)

Attorney Samantha Downing appeared on behalf of the applicant and stated that the applicant is a traditional Latin and Brazilian restaurant, and that the owner and most of the staff are SAFE and TIPS Certified. Attorney Downing noted that the applicant would like to increase the hours to 11:00pm, and Manager Potere stated that an amendment to this application would need to be filed because the hours entered on the application are as they appear here. Manager Potere also stated that the Commission could, in its discretion, approve the application for the hours listed, and the business could operate during those hours pending the approval of an amendment. Attorney Downing replied that this would be their client's preference.

ADA Field Associate Green stated the outdoor dining plan was reviewed and that the Engineering Department recommends it for approval.



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 application for a New Wine and Malt 7 Day Restaurant License, Common Victualer License, Entertainment by Devices Indoors License, Sunday Hours License, and Outdoor Private Seating License.

New

<u>Citywide</u> <u>All Forms 7 Day Restaurant License</u> <u>Common Victualer, Entertainment by Devices Indoors & Outdoors, and Outdoor Private</u> <u>Seating</u>

17. Company Picnic LLC d/b/a Field and Vine, 7-9 Sanborn Court Somerville, requesting approval of an All Forms 7 Day Restaurant License, Common Victualer, Entertainment by Devices Indoors and Outdoors, and Outdoor Private Seating License. Hours of Operation: Indoor (Alcohol and Food Service): Mon-Fri: 5pm-1am, Sat-Sun: 4pm-1am Hours of Operation: Outdoor (Alcohol and Food Service): Sun-Mon: Closed, Tues-Sat: 5pm-10pm Indoor Seats: 86 Outdoor Private Seats: 16 (AL24-000017)

Attorney Adam Barnosky appeared on behalf of the applicants, Sara Markey and Andrew Brady, who were also present. Attorney Barnosky indicated this application is part of a sale transaction, and the applicants are in the process of purchasing the restaurant and, once the transaction is complete, intend on running it the same way it is currently being run. Attorney Barnosky also stated that the applicants have been operating restaurants in Somerville for years and have not had any issues.

ADA Field Associate Green stated the outdoor dining plan was reviewed and that the Engineering Department recommends it for approval.

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 application for a New All Forms 7 Day Restaurant License, Common Victualer License, Entertainment by Devices Indoors & Outdoors License, and Outdoor Private Seating License.



<u>Transfer of License</u> <u>All Forms 7 Day Restaurant License</u> <u>Common Victualer, Entertainment by Devices, Performers and Patrons Indoors, and</u> Sunday Hours

18. Anthony's Function Too Inc d/b/a Anthony's, 156 Highland Avenue Somerville, requesting approval of the Transfer of All Forms 7 Day Restaurant License from Lord Hobo Somerville LLC d/b/a Lord Hobo, and a Common Victualer, Entertainment by Devices, Performers and Patrons Indoors, and Sunday Hours License.
Hours of Operation: Indoor (Alcohol and Food Service): Mon-Wed: 11am-12am, Thurs-Sun: 11am-1am Indoor Seats: 311 (AL24-000015)

Attorney Anne Vigorito appeared on behalf of the applicant, Anthony Quiles, who was also present. Attorney Vigorito stated that the owner plans to run an Italian restaurant on two floors, offer event function space, and operate a pizza self-service window. Attorney Vigorito also stated that Quiles has extensive experience in the restaurant industry, and that they plan to have various forms of entertainment, including DJs and live bands.

Commissioner Lynch asked if the facility currently has a fully functioning kitchen, and Attorney Vigorito replied that it does.

Commissioner Allen asked if the restaurant would be open to the public for dining and take-out even when the venue is hosting a function, and Attorney Vigorito confirmed that the applicant's plan is to remain open to the public while simultaneously hosting private events.

Commissioner Thomas asked if the premises are handicapped accessible, and Attorney Vigorito confirmed that they are.

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

Commissioner Lynch clarified that the business owner also owns the building, which Attorney Vigorito confirmed.

The Licensing Commission approved this application for a Transfer of License, an All Forms 7 Day Restaurant License, a Common Victualer License, Entertainment by Devices, Performers, and Patrons Indoors Licenses, and Sunday Hours License.



Late Items

Existing All Forms Alcohol License Change of Hours

19. Hot Tomatoes 77 Bow Street LLC d/b/a Hot Tomatoes, 77 Bow Street Somerville, requesting the approval of Change of Hours.
Current Indoor and Public Outdoor Seating (Food and Alcohol Service): Mon-Thurs: 11am-8pm, Fri-Sun: 11am-9pm
Proposed Indoor and Public Outdoor Seating (Food and Alcohol Service): Mon-Wed: 11am-10pm, Thurs: 11am-11pm, Fri-Sat: 11am-12am, Sun: 10am-6pm (ALM24-000037)

Mike Tokatlyan, the applicant, appeared before the Commission and stated that this is an application to increase their operating hours to later in the evening. The Commissioners asked no additional questions.

The Licensing Commission approved this application for a Change of Hours.



City of Somerville Licensing Commission

Regular Meeting

Tuesday August 20, 2024 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 Commissioner Joseph Lynch at 6:00 p.m. and adjourned at 7:22 p.m.

<u>Attendance</u>: Chair Joseph Lynch – Present Commissioner Christopher Allen – Present Commissioner Jacques Thomas, Jr. – Present

<u>Others present</u>: Michael Potere – Licensing Operations Manager; Lieutenant Timothy Mitsakis – Somerville Police Department; Captain Darrell Richardson – Somerville Fire Department; Niki Green – ADA Field Associate.

Communications

1. Minutes of the Regular Licensing Commission Meeting of 07/16/2024.

The Licensing Commission approved the minutes.



Special Alcohol Licenses

 Warehouse XI, 11 Sanborn Court Somerville, requesting the approval of a Special Alcohol License for Warehouse Sessions to be held indoors at Warehouse XI, 11 Sanborn Court on 08/21/24, 08/24/24, 09/06/24, 09/08/24, 09/13/24, 09/14/24, 09/19/24, 09/21/24 from 7pm-11pm. (Alcohol Service) (PEL24-000174)

Carrie Dahl, the applicant, appeared before the Commission and explained that the application is for pop-up music events with around 30-50 people. Commissioner Thomas asked if these events will be advertised, and the applicant said they will be using social media for promotion. Commissioner Allen confirmed with the applicant that alcohol will be purchased from an authorized distributor and that the serving staff will be TIPS certified.

The Licensing Commission approved this Special Alcohol License.

 Downeast Cider, 256 Marginal Street Boston, requesting the approval of a Special Alcohol License for Downeast @ Assembly Row by Club VOLO, to be held outdoors at The Park in Assembly Row, on 08/29/24 through 09/27/24 from 11am-11pm. (Alcohol Service) (PEL24-000182)

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. Commissioner Lynch asked if there have been any complaints, and Gilligan replied there have not. The Commissioners asked no additional questions.

The Licensing Commission approved this Special Alcohol License.

 Dormition of the Virgin Mary, 29-31 Central Street Somerville, requesting the approval of a Special Alcohol All Forms License for 2024 GreekFest, to be held indoors and outdoors at 29-31 Central Street, on 09/06/24 through 09/08/24 from 12pm-11pm. (Alcohol Service) (PEL24-000199)

Harry Agritha, the applicant, appeared before the Commission and stated that this is the church's largest fundraiser, serving approximately 10,000 people over the course of three days. Commissioner Lynch asked if there would grilling and open flames, and the applicant replied that there would be coal grills. Commissioner Allen asked how age would be verified, and the applicant replied they will be checking IDs and using wristbands. Commissioner Allen confirmed with the applicant that the alcohol will be purchased from an authorized distributor. Commissioner Thomas asked if there would be entertainment, and the applicant replied that there would be a four-piece band playing outside using



speakers, adding that there have not been complaints about noise when this event has been held in the past.

Captain Richardson noted that a fire detail is required for this event; Lieutenant Mitsakis stated that a police detail is also required.

The Licensing Commission approved this Special Alcohol License with the conditions that a fire and police detail are present during the event.

 Somerville Education Foundation, 18 Hamilton Road Somerville, requesting the approval of a Special Alcohol License for Somerville Food Nation Celebration, to be held outdoors at Day Street parking lot, on 09/06/24 raindate of 09/13/24 from 5pm-9pm. (Alcohol Service) (PEL24-000151)

Max Weinhaus, the applicant, appeared before the Commission. Commissioner Lynch asked how many alcohol vendors would be present at the event, and the applicant replied that there will be two, Redbones and Dave's Fresh Pasta. Commissioner Allen confirmed with the applicant that the servers will be TIPS certified. Commissioner Allen asked how age will be verified, and the applicant replied that IDs will be checked before people enter the event space. Commissioner Thomas asked if the applicant has permission to use the private property for this event, and applicant confirmed that they do. Commissioner Thomas asked if the applicant would be hosting any performances, and the applicant replied that a five-piece band will be playing. In response, Commissioner Thomas reminded the applicant to be mindful of noise and disturbances to neighbors. Commissioner Lynch asked how many attendees are anticipated, and the applicant replied around 300 over the course of 8-9 hours.

Captain Richardson stated the applicant has applied for the proper grilling and tent permits. Lieutenant Mitsakis stated that a police detail is required as a condition of their approval.

The Licensing Commission approved this Special Alcohol License with the condition that a police detail is present during the event.

 Taza Chocolate, 561 Windsor Street Somerville, requesting the approval of a Special Alcohol License for Taza at Night, to be held indoors at 561 Windsor Street, on 09/13/24 from 7pm-9pm. (Alcohol Service) (PEL24-000176)

Hannah Klales, the applicant, appeared before the Commission and explained that this is a beer and chocolate tasting event that will have around 15 people attending, and that this is the fourth year they have hosted this event. Commissioner Allen confirmed with the



applicant that the alcohol is being purchased from an authorized distributor and served by people who are TIPS certified.

The Licensing Commission approved this Special Alcohol License.

 Cam Engdahl, 11 Sanborn Court Somerville, requesting the approval of a Special Alcohol License for Cam and Cohavit's Wedding, to be held indoors at Warehouse XI, 11 Sanborn Court, on 11/11/24 from 2pm-8pm. (Alcohol Service) (PEL24-000169)

Cohavit Gil, the applicant, appeared before the Commission and explained that this application is for their wedding, and that they will have no more than 100 guests in attendance. Commissioner Lynch asked if the alcohol for the event would be purchased through an authorized distributor, and the applicant stated they would be purchasing it from Kappy's in Medford; Manager Potere confirmed that Kappy's is on the list of authorized distributors published by the ABCC.

The Licensing Commission approved this Special Alcohol License.

<u>New</u> <u>Adult-Use Marijuana Retail Establishment License, Group B</u>

 Haze of Somerville LLC d/b/a Simplicity Dispensary, 362 Mystic Avenue Somerville, requesting the approval of an Adult-Use Marijuana Retail Establishment license. Hours of Operation: Mon-Sun: 10am-8pm (ME22-000004)

Colonel Boothe, the managing partner of Haze of Somerville, appeared before the Commission. Boothe began by summarizing their application packet, and noted that they own 49% of the business and their partner, Gina Damasceno, owns 51%.

Commissioner Lynch asked if Boothe has liability insurance, and Boothe responded that they would be obtaining that insurance and providing proof of the same to the City Clerk's Office when construction is complete and prior to commencing operations.

Commissioner Allen asked if the building is owned by the landlord without a mortgage, and Boothe responded that they did not know the answer to that question.

Commissioner Allen asked Boothe to describe their community outreach. Boothe stated that they are working with their business partner to create a local trade group called the Portuguese Business Owners Association, which will aim to support local Brazilian



businesspeople. Boothe added that they have conducted their community outreach meetings, and their most recent meeting was attended by two members of the public. Boothe continued that they have spoken to over 100 neighboring residents in a 10-block radius of the proposed location and have received positive feedback.

Commissioner Lynch requested photos or drawings of the proposed exterior of the building, and Boothe replied that those can be provided. Boothe stated for the record that their brand colors are orange and white, and that they are planning to have a local artist create an art installation to greet customers when they enter and present photo ID. Boothe continued that they are also committed to keeping the outside of the building and parking lot free of litter and are planning to add lighting and security cameras to make it feel more inviting.

Commissioner Thomas asked about parking, and Boothe replied that they will be sharing the lot and that there are 16 spots in front of the building and 8 in the rear. Commissioner Thomas asked about their plans for cultivation and production, and Boothe summarized their process as described in their application.

Commissioner Lynch asked about their process with the Somerville Planning Board, and Boothe replied that they are proceeding through that process concurrently, and recently completed their pre-submittal meeting with city staff.

Commissioner Lynch asked about the corporate structure between Haze of Somerville, LLC and Simplicity, and Boothe replied that Haze of Somerville, LLC is the company they own, and that Simplicity is a brand that they license.

Commissioner Lynch asked if they have other locations in the state, and Boothe replied that they applied but were unsuccessful in South Boston, and that they have an HCA with Attleboro.

Commissioner Lynch asked if there were any letters of support from direct abutters, and Boothe replied that there are not, but that they do have letters from Ward Four City Councilor Clingan and the Welcome Project.

Boothe summarized, as outlined in their application, their: transportation and storage processes; hiring process; record keeping process; and security plan, including camera placement and recording.

Commissioner Lynch asked how they plan to mitigate loitering outside of the building, and Boothe responded that loitering is currently a problem for existing neighboring occupants, and particularly an adult video store. Boothe continued that they will actively work to discourage loitering when they open for business by providing significant improvements in



lighting for the parking lot, as well as adding security cameras, both of which they believe will discourage loitering. Commissioner Lynch asked if the applicant and adult video store share a landlord, and Boothe replied that they do, and that they will actively work with their landlord to reduce loitering.

Boothe summarized their application regarding ownership percentage and product sourcing.

Commissioner Thomas stated for the record some concerns regarding the location of the proposed establishment, as well as with distribution and cultivation being tied to other businesses owned by the applicant.

Commissioner Allen stated for the record concerns regarding people consuming marijuana in the parking lot in front of the establishment, and encouraged the applicant to add people who do that to a do-not-sell list. Boothe replied that they plan to actively remind customers that public consumption is not legal when they complete their purchases.

Commissioner Lynch summarized and confirmed aspects of the application, and asked about the length of their lease, to which Booth replied that it is for five years. Commissioner Lynch asked about construction, and Boothe replied that they have applied for the necessary permits, but that substantial construction will not be necessary due to the nature of the business that occupied the property before them.

Captain Richardson stated for the record that the Fire Department has a walkthrough scheduled for Thursday, August 22, 2024.

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

Lieutenant Mitsakis stated for the record that, as with all other marijuana establishments in the city, the Police Department would conduct a security walkthrough before the applicant commences operations.

After a deliberation, the Commissioners agreed that this application would be continued to the Licensing Commission meeting scheduled for September 17, 2024, and requested additional time to review: a copy of the applicant's lease, design and floor plans for the renovation of the structure, and the presentation and recording from the community outreach meeting from June 14, 2024.

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



<u>New</u> <u>Common Victualer & Entertainment by Device Indoors and Outdoors & Outdoor Private</u> <u>Patio License</u>

9. Life Alive Cafe LLC d/b/a Life Alive Organic Cafe, 20 Prospect Street Somerville, requesting approval of a Common Victualer, Entertainment by Devices Indoors and Outdoors, and Outdoor Private Patio Seating License. Hours of Operation: Mon-Sun: 7am-10pm Indoor Seats: 72 Outdoor Private Patio Seats: 18 (AL24-000022)

Daniel Brennan appeared on behalf of the applicant and stated that the proposed coffee shop would be the second under this brand in Somerville, and the tenth overall in the state, and that they therefore successfully went through the formula business special permit process. Brennan continued that, because of that process, the applicant engaged in significant community outreach. Brennan indicated they plan to open around the end of September.

ADA Field Associate Green stated the outdoor dining plan was reviewed, and the Engineering Department recommends it for approval.

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 application for a New Common Victualer License, Private Outdoor Patio Dining License, and Entertainment by Device Indoors and Outdoors License.



<u>New</u> <u>Common Victualer & Entertainment by Device Indoors License</u>

10. Pound House Concept LLC d/b/a Pound House Coffee, 703 Broadway Somerville, requesting approval of a Common Victualer and Entertainment by Devices Indoors License. Hours of Operation: Mon-Sun: 7am-5pm Indoor Seats: 36 (AL24-000006)

Linh Do, the applicant, appeared before the Commission and stated their plan is to open this coffee shop in Ball Square in the location of a former dry cleaner. Commissioner Lynch asked about their plans for entertainment devices, and Do replied that they are going to have a TV and speakers for music. Commissioner Lynch asked if the applicant has spoken to any of their neighboring businesses, and Do replied that they have been in contact with the nearby Ball Square Café.

Captain Richardson noted for the record that he did a walkthrough in March 2024 and asked for some follow up items, but that their contact information was not accurate in Citizenserve. Manager Potere stated he would obtain this information from the applicant and provide it to Captain Richardson.

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 application for a New Common Victualer License and Entertainment by Devices Indoors License.



Late Item

Existing Common Victualer License New Wine and Malt 7 Day Alcohol License Change of Hours

11. MamaAna Inc d/b/a MamaAna Inc, 60 Middlesex Avenue Somerville, requesting approval of Change of Hours.
Current Indoor and Private Outdoor Seating (Food Service): Mon-Sat: 7am-6pm, Sun: 8am-5pm
Proposed Indoor and Private Outdoor Seating (Food Service): Mon-Sat: 7am-11pm, Sun: 8am-6pm
Current Indoor and Private Outdoor Seating (Alcohol Service): Mon-Sat: 8am-6pm, Sun: 10am-5pm
Proposed Indoor and Private Outdoor Seating (Alcohol Service)
Mon-Sat: 11am-11pm, Sun: 11am-6pm
(ALM24-000038)

Samantha Downing, the applicant, appeared before the Commission and explained that their new alcohol license was approved during last month's Licensing Commission meeting, and this is an application to amend their opening hours. The Commissioners asked no additional questions.

The Licensing Commission approved this application for a Change of Hours.



City of Somerville Licensing Commission

Regular Meeting

Tuesday September 17, 2024 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.

The meeting was called to order by Chair Joseph Lynch at 6:00 p.m. and adjourned at 6:47 p.m.

<u>Attendance</u>: Chair Joseph Lynch – Present Commissioner Christopher Allen – Present Commissioner Jacques Thomas, Jr. – Present

<u>Others present</u>: Michael Potere – Licensing Operations Manager, City Clerk's Office; Captain Darrell Richardson – Somerville Fire Department.

Communications

1. Minutes of the Regular Licensing Commission Meeting of 08/20/2024.

The Licensing Commission approved the minutes.



2. 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
	Vincent Migliore LLC d/b/a		All Forms
AL17-000078	Vinnys at Night	76 Broadway	(Restaurant)
	Alpine Restaurant Group Inc		All Forms
AL17-000080	d/b/a Pizzeria Posto	187 Elm Street	(Restaurant)
	Bread and Salt Hospitality		All Forms
AL17-000093	Inc d/b/a Juliet	257 Washington Street	(Restaurant)
	Two Turtles LLC d/b/a Totto		All Forms
AL17-000105	Ramen	463 Artisan Way #426	(Restaurant)
	Genki Investment &		All Forms
	Development Inc d/b/a		(Restaurant)
AL17-000339	Genki Ya of Somerville	246 Elm Street	
	Pennyandlogan LLC d/b/a		All Forms
AL21-000014	Yakitori Totto	455 Foley Street	(Restaurant)
	Lion Rock LLC d/b/a Saigon		All Forms
AL22-000021	Tiger	7 Holland Street	(Restaurant)
	Tu Y Yo V LLC d/b/a Tu Y Yo		Wine and Malt
AL17-000112		858 Broadway	(Restaurant)
	KFSS Corp d/b/a The Kebab		Wine and Malt
AL17-000186	Factory	414 Washington Street	(Restaurant)
	Indignant Brewing Co., LLC		Farmer Pourer
	d/b/a Winter Hill Brewing		
AL17-000125	Company	328 Broadway	
	Somerville Sports Club Inc		All Forms
AL17-000017	d/b/a Somerville Sports Club	203 Somerville Avenue	(Club)
	Somerville Post 19 American		All Forms
	Legion Dept. of MA Inc		(Club)
AL17-000019	d/b/a Somerville Post 19	124 Highland Avenue	
	Somerville City Club Inc		All Forms
AL17-000025	d/b/a Somerville City Club	20 Inner Belt Road	(Club)

Chair Lynch stated for the record that the licensees listed above have failed to renew their alcohol licenses for 2024 due to failure to obtain their statutorily required 304 Certificates of Inspection. Chair Lynch asked the City Clerk's Office to send a letter to these licensees on behalf of the Licensing Commission informing them that if they do not complete this process by October 20, 2024, they will not be able to renew their licenses for 2025 and will instead need to file new applications.



The Licensing Commission continued this item to the October 22, 2024 Licensing Commission meeting.

Special Alcohol Licenses

 Downeast Cider, 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 in Assembly Row, on 09/28/24 through 10/27/24 from 11am-11pm. (Alcohol Service) (PEL24-000195)

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. Chair Lynch asked if there have been any complaints, and Gilligan replied there have not. The Commissioners asked no additional questions.

The Licensing Commission approved this Special Alcohol License.

 Molly Zuccaro, 11 Sanborn Court Somerville, requesting approval of a Special Alcohol License for O'Donnel Wedding Celebration, to be held indoors and outdoors at Warehouse XI, 11 Sanborn Court, on 10/05/24 from 4pm-11pm. (Alcohol Service) (PEL24-000203)

Molly Zuccaro, the applicant, appeared before the Commission and explained that this application is for their wedding. Commissioner Allen asked if the alcohol was being purchased from an authorized distributor and how many people would be attending, and the applicant confirmed the source of the alcohol and stated 150 people would attend.

Chair Lynch asked about the outdoor premises, and the applicant replied that the event will mostly be indoors, and that the outdoor portion is a small courtyard immediately outside the venue. Chair Lynch asked if the bartenders are TIPS certified, which the applicant confirmed.

The Licensing Commission approved this Special Alcohol License.

 Honk Festival, 100 Jackson Street Cambridge, requesting approval of a Special Alcohol License for Honk! Festival Afterparty, to be held indoors at 8 Tyler Street, on 10/05/24 from 8pm-12am. (Alcohol Service) (PEL24-000213)

Matthew Taylor, the applicant, appeared before the Commission and stated that this event is an afterparty for the Honk! Festival and is hosted to thank the volunteers who worked that day. The applicant stated that this event has been held before at venues with alcohol



licenses, and this year they are changing the venue to one that does not. The applicant added that the alcohol would be provided by Aeronaut Brewery, an authorized distributor, and served by TIPS certified bartenders at a cash bar.

Chair Lynch asked how many you attend, and the applicant replied around 450 at any given time, with 600 over the course of the event, and added that the venue is requiring them to hire private security for the event.

The Licensing Commission approved this Special Alcohol License.

 Winter Hill Brewing, 328 Broadway Somerville, requesting approval of a Special Alcohol License for Elizabeth Peabody House Fall Festival, to be held indoors and outdoors at 275 Broadway, on 10/19/24 with a raindate of 10/20/24 from 12pm-8pm. (Alcohol Service) (PEL24-000207)

Breck Bailey, the applicant, appeared before the Commission and explained that this event is the annual fundraiser for the Elizabeth Peabody House, and that it would be staffed by two TIPS certified bartenders and serve only beer.

Commissioner Allen asked about perimeter control in the parking lot, and the applicant replied that it will be sectioned off, and that age would be verified and wristbands used to confirm the same.

Commissioner Thomas asked about wheelchair accessibility, and the applicant replied there is ramp access to the building.

It was noted that the application lists a 10' x 10' tent, and Captain Richardson stated that it does not require a permit.

The Licensing Commission approved this Special Alcohol License.

 St Anthony Parish, 12 Properzi Way Somerville, requesting approval of a Special Alcohol License for Retro Revival, to be held indoors at 12 Properzi Way, on 10/26/24 from 8pm-11:30pm. (Alcohol Service) (PEL24-000194)

Neuza Madureira, the applicant, appeared before the Commission and stated this is an annual event held in October that has around 350 attendees. Commissioner Allen asked if Somerville Police and Fire had been made aware of the crowd size, and the applicant



confirmed that they were. Commissioner Allen asked if the alcohol will be procured from an authorized distributor, which the applicant also confirmed.

Chair Lynch confirmed that the event will take place entirely indoors.

The Licensing Commission approved this Special Alcohol License.

<u>New</u> <u>Adult-Use Marijuana Retail Establishment License, Group B</u>

 Haze of Somerville LLC d/b/a Simplicity Dispensary, 362 Mystic Avenue Somerville, requesting the approval of an Adult-Use Marijuana Retail Establishment license. Hours of Operation: Mon-Sun: 10am-8pm (ME22-000004)

Continued from the August 20, 2024, Licensing Commission Meeting.

Yuliya Kir and Colonel Boothe, the applicants, appeared before the Commission. Chair Lynch stated this item was continued from the August Licensing Commission meeting so additional documentation could be provided and reviewed, and then confirmed that the requested materials were timely provided to the Commissioners.

Commissioner Allen asked about the number of attendees for the applicant's community outreach meeting, noting that the applicant stated two members of the public attended but that the video of the event showed no participants. The applicant responded that the two people attended their neighborhood meeting with the Ward City Councilor, but that their outreach meeting was unattended.

Chair Lynch asked again about loitering, and the applicant responded that they would have a fluid and dynamic process in place to deal with that if it should occur when they open. Chair Lynch also asked the applicant to put a system in place where they would refuse future sales to customers who consume their products in the parking lot.

Chair Lynch stated for the record that the complete application was previously considered, and a public hearing held, for this item during the August 2024 Licensing Commission meeting.



Commissioner Thomas expressed concern about turnout for the applicant's community outreach event. Manager Potere noted for the record that the applicant properly advertised and sent abutter notices via certified mail for the public hearing conducted for this application during the August Licensing Commission meeting.

Chair Lynch emphasized that there is an expectation of an ongoing working relationship between the applicant and the Licensing Commission, which the applicant acknowledged.

The Licensing Commission approved this Adult-Use Marijuana Retail Establishment License, Group B, with all three Commissioners voting in favor of approval.

Existing All Forms Alcohol License Change of Manager

 RCSH Operations Inc d/b/a Ruth's Chris Steak House, 375 Revolution Drive Somerville, requesting the approval of Change of Manager. Current Manager: Matthew Thomas Williams Proposed Manager: Srdan Bajas (ALM24-000039)

Srdan Bajas, the applicant, appeared before the Commission and stated they have worked at this restaurant for 16 years and will be stepping into the roll of manager because the previous manager left the position due to relocation. Commissioner Allen asked if they are TIPS certified, which the applicant confirmed. The Commissioners asked no additional questions.

The Licensing Commission approved this Change of Manager license amendment.



<u>New</u> <u>Wine and Malt 7 Day Restaurant License</u> <u>Common Victualer, Entertainment by Devices Indoors, and Sunday Hours</u>

10. Seoulbanjum Inc d/b/a Buk Kyung, 9A Union Square Somerville, requesting the approval of A Wine and Malt License, Common Victualer, Entertainment by Devices Indoors, and Sunday Hours License.
Hours of Operation: Indoor (Alcohol and Food Service): Mon-Sat: 11:30am-10pm, Sun: 11:30am-9:30pm Indoor Seats: 46 (AL24-000021)

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

Commissioner Thomas recused himself from this item as an abutter.

Heeyoung Jang, the applicant, appeared before the Commission and stated that they will be operating a Korean restaurant with six employees, all of whom are TIPS certified. The applicant continued that their entertainment by devices would be music played through speakers and wall-mounted televisions.

Commissioner Allen asked the applicant to describe their background in the restaurant business, and the applicant replied that they have a restaurant in Boston, one in Kenmore Square, and three common victualer licenses in other neighboring cities. Commissioner Allen asked if the applicant has had any issues with their other licenses, and the applicant replied that they have not.

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 Wine and Malt 7 Day Restaurant License, Common Victualer License, Entertainment by Devices Indoors License, and Sunday Hours License.



Late Items

Communication

 Communication from the Alcoholic Beverage Control Commission regarding a notice of suspension for Galwegan Inc d/b/a The Burren, 247 Elm Street Somerville, for a period of ten (10) days to be served on Monday, November 4, 2024, through Wednesday, November 13, 2024.

Chair Lynch stated for the record that the Licensing Commission received notice of the ABCC's determination for this licensee. Chair Lynch asked if the licensee's common victualer license would be suspended concurrently with their alcohol license, and Manager Potere replied that it would, and that this is consistent with the city's past practices. Manager Potere also clarified that the ABCC's full determination was for a suspension of 25 days, with 10 to be served as stated, and the remaining 15 held in abeyance pending a two-year probationary period.

The Licensing Commission placed this item on file.

Special Alcohol License

 Climable, 955 Massachusetts Avenue Cambridge, requesting approval of a Special Alcohol License for ClimaPalooza, to be held indoors at Warehouse XI, 11 Sanborn Court, on 09/26/24 from 6pm-9pm. (Alcohol Service) (PEL24-000186)

This application was withdrawn by the applicant.



City of Somerville Licensing Commission

Regular Meeting

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

Published October 17, 2024, at 12:45 p.m. Revised Published October 22, 2024, at 10:30 a.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.

<u>Attendance</u>: Chair Joseph Lynch – Present Commissioner Christopher Allen – Present Commissioner Jacques Thomas, Jr. – Absent

<u>Others present</u>: 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
	Alpine Restaurant Group Inc		All Forms
AL17-000080	d/b/a Pizzeria Posto	187 Elm Street	(Restaurant)
	Genki Investment &		All Forms
	Development Inc d/b/a		(Restaurant)
AL17-000339	Genki Ya of Somerville	246 Elm Street	
	Lion Rock LLC d/b/a Saigon		All Forms
AL22-000021	Tiger	7 Holland Street	(Restaurant)
	KFSS Corp d/b/a The Kebab		Wine and Malt
AL17-000186	Factory	414 Washington Street	(Restaurant)
	Somerville Sports Club Inc		All Forms
AL17-000017	d/b/a Somerville Sports Club	203 Somerville Avenue	(Club)
	Somerville City Club Inc		All Forms
AL17-000025	d/b/a Somerville City Club	20 Inner Belt Road	(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	1133B Broadway	All Forms	Private
	d/b/a The Basement			

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

 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 Morrisey, the applicant, appeared before the Commission and stated that these events are run by Berkelee 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.

 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.

 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 Aeronaught 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.

 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.

 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

 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

 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.

<u>New</u> <u>Adult-Use Marijuana Retail Establishment License, Group A</u>

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 appointmentonly 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 ban customers the 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.



<u>New</u> <u>Common Victualer License</u>

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.

<u>New</u> <u>Common Victualer and Entertainment by Devices Indoors License</u>

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

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

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.



City of Somerville Licensing Commission

Regular Meeting

Tuesday November 19, 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 Chair Joseph Lynch at 6:00 p.m. and adjourned at 7:12 p.m.

<u>Attendance</u>: Chair Joseph Lynch – Present Commissioner Christopher Allen – Present Commissioner Jacques Thomas, Jr. – Present

<u>Others present</u>: Michael Potere – Licensing Operations Manager; Captain Darrell Richardson – Somerville Fire Department; Lieutenant Timothy Mitsakis – Somerville Police Department; Niki Aurora – ADA Field Associate.

Communications

1. Minutes of the Regular Licensing Commission Meeting of 10/22/2024.

The Licensing Commission approved the minutes.

2. Requesting approval of the 2025 Proposed Somerville Licensing Commission Meeting Schedule.



The Licensing Commission approved the 2025 Meeting Schedule.

3. Communication from the Alcoholic Beverage Control Commission (ABCC) regarding annual holiday compliance reminder (Happy Hour Regulation).

The Licensing Commission placed this item on file.

4. Somerville Police Department comment on 2AM Closing Establishments.

Date Approved	Business	Address
9/29/2005	The Independent	75 Union Square
9/29/2005	Casey's	171 Broadway
9/29/2008	Vera's	70 Union Square
4/26/2006	Olde Magoun Saloon	518 Medford Street
3/19/2012	Foundry on Elm	255 Elm Street
2/26/2007	The Burren	247 Elm Street
11/15/2010	Trina's Starlight Lounge	3 Beacon Street
6/16/2014	El Potro	61 Union Square
2/22/2016	Earl's Kitchen and Bar	698 Assembly Row #102
11/18/2019	La Posada Restaurant	505 Medford Street
7/25/2017	Holiday Inn	30 Washington St
10/22/2024	Gaucho	102 Broadway
7/19/2021	Premier On Broadway	519 Broadway
5/21/2024	The Tall Order	70 Beacon St

Lieutenant Mitsakis stated for the record that there have not been any notable issues with the city's 2AM alcohol service licenses during 2024.

Based on concerns arising from past conduct and a recommendation from the Somerville Police, the Licensing Commission imposed the following condition on the operation of The Burren's 2AM Friday and Saturday alcohol service license (247 Elm Street, AL17-000037): The establishment is required to apply for a police detail consisting of two officers between the hours of 10:00pm and 2:00am for the following dates:

Friday, December 6, 2024, Saturday, December 7, 2024, Friday, December 13, 2024, Saturday, December 14, 2024,



Friday, December 20, 2024, Saturday, December 21, 2024, Friday, December 27, 2024, and Saturday, December 28, 2024.

The Licensing Commission placed this item on file.

5. Above and Beyond Catering, 42 Plympton Street, Boston notifying the Commission of an Event, held at Assembly Innovation Park, Assembly Park Drive PH1, on Thursday, November 7, 2024 from 4pm to 7pm.

Chair Lynch asked for clarification as to whether this catering event had already taken place, and Manager Potere stated that the caterer's notice was not received 48 hours in advance as required, and that the caterer was informed of its responsibility to properly provide the city with advance notice in the future.

The Licensing Commission placed this item on file.

2025 License Renewals

6. Requesting approval of all 2025 license renewals.

The Licensing Commission approved all 2025 license renewals.

Existing Common Victualer License Public Sidewalk Outdoor Seating

 Ola Gifts Café LLC d/b/a Ola Café, 112 Broadway Somerville, requesting approval of Public Sidewalk Outdoor Seating. Outdoor Public Sidewalk Seats: 8 (ALM24-000048)

Augusto Dacunha, the applicant, appeared before the Commission and stated that this amendment is to add eight outdoor sidewalk seats to their common victualer license. Chair Lynch asked about the type of tables and chairs, and the applicant stated the furniture will be small tables and accompanying chairs. Chair Lynch confirmed with the applicant that outdoor dining ends on November 30th. The Commissioners asked no additional questions.



ADA Field Associate Aurora stated that Engineering reviewed the floorplans and they are recommended to be approved.

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 Outdoor Seating license amendment.

<u>New</u> <u>All Forms 7 Day Restaurant License</u> <u>Common Victualer, Entertainment by Devices Indoors, and</u> <u>Sunday Hours</u>

8. K-Bok Korean Fried Chicken LLC d/b/a K-Bok Korean Fried Chicken, 249 Washington Street Somerville, requesting approval of an All Forms 7 Day Restaurant License, Entertainment by Devices Indoors, and Sunday Hours. Hours of Operation: Indoor Alcohol Service: Mon-Sat: 8am-10pm, Sun: 10am-10pm Hours of Operation: Indoor Food Service): Mon-Sun: 8am-10pm Indoor Seats: 50 (AL24-000029)

Attorney Tyler Henseler appeared on behalf of the applicant, Yajaira Casserly, who was also present. Attorney Henseler stated that the applicant wishes to serve high-quality Korean fried chicken, along with side dishes, desserts, and all forms of alcohol to accompany the food. Attorney Henseler continued that a relative of the applicant owns the building, and that the applicant's chosen location was previously occupied by the holder of an all forms alcohol license. Attorney Henseler also stated that the applicant is a Massachusetts resident and has experience operating restaurants with alcohol licenses in the state, including at Logan Airport.

Chair Lynch clarified that this application does not include an Entertainment by Performers license, and Attorney Henseler confirmed that this application includes only an Entertainment by Devices license. Attorney Henseler added that the applicant would come before the Commission for any other desired amendments, including any to add outdoor dining or make changes to their hours.



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 Indoors License, and Sunday Hours License.

Existing All Forms Alcohol License Alteration of Premises

9. Soba Ya LLC d/b/a Sugidama, 234 Elm Street Somerville, requesting the approval of Alteration of Premises.
Current Indoor Seats: 36
Proposed Indoor Seats: 52
Current Outdoor Public Parklet Seats: 16
Proposed Outdoor Public Parklet Seats: 0
(ALM24-000050)

Attorney Kristine Lee appeared on behalf of the applicant and stated that the purpose of this amendment application is to close the licensee's outdoor dining and return those seats indoors, which was necessary for this licensee to comply with state bathroom plumbing regulations.

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.

<u>Transfer of License and Pledge of Inventory</u> All Forms 7 Day Package Store License (Private)

10. Om Namah Shivaya Corp d/b/a Sav-Mor Spirits, requesting approval of a Transfer of License of an All Forms 7 Day Package Store License and Pledge of Inventory from Starl Liquors Inc d/b/a Sav-Mor Spirits located at 325 Canal Street, Unit 518. Hours of Operation: Mon-Thurs: 9am-10pm; Fri-Sat: 9am-11pm; Sun: 11am-7pm (AL24-000026)



This item is related to agenda item 11. Jignesh Pachani, the applicant, appeared before the Commission and stated that they have been in the liquor industry since 2013, they own several other liquor stores in cities including Worcester and Milford, and that they are very careful when it comes to checking IDs. The applicant stated that they have a violation on their record from two years ago for selling to a person under the age of 21, but that the employee who committed the offense is no longer affiliated with them, and they have not received any other violations.

Attorney Matt Porter also appeared on behalf of the applicant and added that this is a transfer of a private package store license and includes a pledge of license and inventory.

Chair Lynch asked who the manager of the store will be, and Attorney Porter stated that Deep Patel would manage this location, as well as the location reflected in item 11 of this agenda.

Chair Lynch opened the public hearing. Benjamin Weiner, the current owner of the establishment, spoke in favor of the applicant. Chair Lynch closed the public hearing.

The Licensing Commission approved this application for a Transfer of License and Pledge of Inventory for an All Forms 7 Day Package Store License (Private).

11. Om Namah Shivaya Corp d/b/a Sav-Mor Spirits, requesting approval of a Transfer of License of an All Forms 7 Day Package Store License and Pledge of Inventory from MVP Liquors, Inc d/b/a Sav-Mor Spirits located at 2153 Mystic Valley Parkway. Hours of Operation: Mon-Thurs: 9am-10pm; Fri-Sat: 9am-11pm; Sun: 10am-8pm (AL24-000027)

This item is related to agenda item 10. Jignesh Pachani and Attorney Matt Porter also spoke in support of this application, which is largely the same as that in item 10, except that it is associated with a second establishment location. The Commissioners asked no additional questions.

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 Transfer of License and Pledge of Inventory for an All Forms 7 Day Package Store License (Private).



Existing Package Store License Change of Officers/Directors and Transfer of Stock

 New Reliable Market Inc d/b/a Reliable Market, 45 Union Square Somerville, requesting approval of a Change of Officers/Directors and Transfer of Stock. (ALM24-000051)

Current Officers/Directors and Stock Interest:

Current Officers/Directors	Current Title/Position	Current Percentage of Ownership
Myo Smith	President, Treasurer, Secretary,	34%
	Director, Shareholder	
Paul Casserly	Shareholder	33%
On Gu Cho	Shareholder	33%

Proposed Officer/Director and Stock Interest:

Proposed Officers/Directors	Proposed Title/Position	Proposed Percentage of Ownership
On Gu Cho	President, Treasurer, Secretary,	100%
	Director, Shareholder	

Attorney Tyler Henseler appeared on behalf of the applicant and stated that this change in ownership percentage and control is being done for estate planning purposes, and that there will otherwise be no changes to the operation of the business. The Commissioners asked no additional questions.

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 Change of Officers/Directors and Transfer of Stock license amendment.



Existing Alcohol License Change of Manager

 DDH Hotel Somerville LLC d/b/a Holiday Inn Boston/Somerville, 30 Washington Street Somerville, requesting approval of a Change of Manager. Current Manager: Ryan Burkart Proposed Manager: Sean Smith (ALM24-000049)

Sean Smith, the applicant, appeared before the Commission and stated that they currently work at the establishment and are being promoted to replace the former manager, who changed jobs. Chair Lynch asked if the applicant has previously been an alcohol manager in the state and if they had any infractions, and the applicant stated they have experience as an alcohol manager with no infractions. The Commissioners asked no additional questions.

The Licensing Commission approved this Change of Manager license amendment.

<u>New</u> <u>Common Victualer License</u>

14. Lollacai LLC d/b/a Lollacai, 147A Highland Ave, requesting approval of a Common Victualer License.
Hours of Operation: Tues-Sun: 12pm-10pm Indoor Seats: 8 (AL24-000028)

Tiago Ronchini, the applicant, appeared before the Commission and stated that their business will be focused on selling acai bowls, and that they will not have entertainment by devices. The Commissioners asked no additional questions.

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

15. The Buzzin' Bean LLC d/b/a The Buzzin' Bean, 237 Holland St Somerville, requesting the approval of a Common Victualer License. Hours of Operation: Sat-Sun: 7am-11pm Mon: Closed Tues-Fri: 7am-10pm Indoor Seats: 18 (AL24-000030)



Jayashree Venkataraman, the applicant, appeared before the Commission and stated that they have experience working in the restaurant industry, and that the proposed establishment will be a vegetarian coffee shop. The Commissioners asked no additional questions.

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

Existing All Forms Alcohol License Change of Hours

16. Atelier PRB LLC d/b/a PRB Boulangerie, 120 Beacon Street Somerville, requesting the approval of Change of Hours. Current Hours of Operation: Indoor and Outdoor (Alcohol Service): Mon-Sat: 8am-8pm, Sun: 10am-8pm Current Hours of Operation: Indoor and Outdoor (Food Service): Mon-Sun: 7am-8pm Proposed Hours of Operation: Indoor and Outdoor (Alcohol Service): Mon-Sat: 8am-12am; Sun: 10am-12am Proposed Hours of Operation: Indoor and Outdoor (Food Service): Mon-Sun: 7am-12am
Appropriate Hours of Operation: Indoor and Outdoor (Food Service): Mon-Sun: 7am-12am
Appropriate Hours of Operation: Indoor and Outdoor (Food Service): Mon-Sun: 7am-12am
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Appropriate Hours Of Operation: Indoor Appropriate Hours (Food Service): Mon-Sun: 7am-12am
Appropriate Hours Of Operation: Indoor Appropriate Hours (Food Service): Mon-Sun: 7am-12am
Appropriate Hours (Food Service):

Loic Le Garrec, the applicant, appeared before the Commission and explained that this amendment application is to update their recently approved new all forms alcohol license to extend the hours to accommodate dinner service into the evening. The Commissioners asked no additional questions.

Commissioner Allen recused himself from this item as an abutter.

The Licensing Commission approved this Change of Hours license amendment.



<u>New</u> <u>Adult-Use Marijuana Retail Establishment License, Group A</u>

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)

This item was continued from, and a public hearing occurred during, the 10/22/2024 Licensing Commission meeting.

Attorney Mike Ross appeared on behalf of the applicant. Chair Lynch stated for the record that the documentation received from the applicant was as requested during the October Licensing Commission meeting, and that he had no additional questions. Commissioner Allen stated for the record that the supplemental materials submitted were helpful. The Commissioners asked no additional questions.

Chair Lynch stated for the record that the applicant has: entered into a Host Community Agreement with the city, located real estate in a properly zoned district, has proposed hours compliant with the Licensing Commission's Rules, is not located within 300 feet of any prohibited abutters, has engaged in all required community outreach, and has demonstrated an ability to abide by and adhere to all applicable laws and regulations.

The applicant's Chief Operating Officer, Kristen Picard, stated that they will obtain the insurance required by the state once they receive their final license from the state board.

The Licensing Commission approved this Adult-Use Marijuana Retail Establishment (Group A) License with no conditions.



<u>Existing Retail Marijuana</u> <u>Change of Officers/Directors and Change of Ownership and Control Interest</u>

18. Holistic Industries, Inc. d/b/a Liberty Cannabis, 304 Somerville Ave., requesting approval of a Change of Officers/Directors and a Change of Ownership and Control Interest.

Current Owners:	Proposed Owners:
Persons with Direct or Indirect	Persons with Direct or Indirect
Control in Licensed Entity	Control in Licensed Entity
 Josh Genderson - CEO, 	 Josh Genderson - CEO,
Director	Director
 Beni Golani - Director 	Persons with Indirect Control via
 David Cohen - Secretary, 	Parent Company (Holistic Industries
Director	Inc. (DE))
 Persons With Indirect Control via 	 David Leider - Director
Parent Company (Holistic Industries	 Cynthia Brighton - Director,
Inc. (DE))	Owner
 David Leider - Director 	 Renfrew Brighton Jr
 Richard Genderson - 	Director
Director	• Howard Romanow - Director
 Josh Genderson - CEO, 	 Loren Roseman - Director
Director	 Karl Ziegler - Owner
 Zeeshan Hyder - CFO, 	 William Ziegler - Owner
Secretary	
 Jason Goldblatt - Director 	
 John Byrnes - Director 	
 Adam Verner - Director 	
 Kirk Posmantur – Director 	
Current Officers/Directors:	Proposed Officers/Directors:
Josh Genderson - CEO, Director	Josh Genderson - CEO, Director
Beni Golani - Director	
 David Cohen - Secretary, Director 	



Current Control Interest:	Proposed Control Interest:
Persons with Direct or Indirect	• Josh Genderson - 5.43%
Control in Licensed Entity	David Leider - 0.5%
 Josh Genderson - CEO 	O, • Cynthia Brighton - 12.25%
Director - 13.65%	Renfrew Brighton Jr 0%
 Beni Golani - Directo 	r - • Howard Romanow - 0%
4.31%	Loren Roseman - 0%
 David Cohen - Secret 	ary, • William Ziegler - 12.25%
Director - 0.71%	• Karl Ziegler - 24.5%
Persons with Indirect Control	via
Parent Company (Holistic Ind	ustries
Inc. (DE))	
 David Leider - Director 	or -
0.47%	
 Richard Genderson - 	
Director - 7.67%	
 Josh Genderson - CEO 	Э,
Director - 13.65%	
 Zeeshan Hyder - CFO 	,
Secretary - 0%	
 Jason Goldblatt - Dire 	ector -
0.7%	
 John Byrnes - Director 	or - 0%
 Adam Verner - Direct 	tor -
4.13%	
 Kirk Posmantur - Dire 	ector -
0%	

(MEA24-000004)

Attorney Dan Hittman, the applicant, appeared before the Commission and stated that this amendment application reflects a change of investment interest in the establishment at the parent level, but noted that the CEO and daily operations will not be changing. Attorney Hittman added that this proposed change was recently approved by the Cannabis Control Commission (CCC). The Commissioners asked no additional questions.



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

Late Items

Special Alcohol Licenses

 St. Anthony Parish, 12 Properzi Way, requesting approval of a Special Alcohol License for Thayz and Deivid's Wedding, to be held indoors at 12 Properzi Way, on 12/14/24 from 8pm-1am. (Alcohol Service) (PEL24-000256)

Raphael Alves, the applicant, appeared before the Commission and stated this is for an upcoming wedding that will host around 120 people. Commissioner Thomas asked who would be serving the alcohol, and the applicant responded that there will be volunteers accompanied by a TIPS certified bartender. Commissioner Thomas confirmed with the applicant that they would be purchasing the alcohol from an approved vendor.

The Licensing Commission approved this Special Alcohol License.

20. LEGO Discovery Center Boston, 598 Assembly Row, requesting approval of a Special Alcohol License for LEGO Discovery Center Boston Adult Night, to be held indoors at 598 Assembly Row, on 1/8/25, 2/14/25, 3/12/25, 4/9/25, 5/14/25, 6/11/25, 7/9/25, 8/13/25, 9/10/25, 10/29/25, 11/12/25, 12/10/25 from 7pm-9:30pm. (Alcohol Service) (PEL24-000257)

Rachel Meissner, the applicant, appeared before the Commission and explained that this is their annual application for special alcohol licenses to cover their monthly adults-only events, during which alcohol is served by a local brewery with TIPS certified bartenders. The Commissioners asked no additional questions.

The Licensing Commission approved this Special Alcohol License.

The meeting was adjourned at 7:12 p.m.