



**City of Somerville
Licensing Commission**

Regular Meeting Agenda

**Tuesday
March 18, 2025
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 7:30 p.m.

Attendance:

Chair Joseph Lynch – Present

Commissioner Christopher Allen – Present

Commissioner Jacques Thomas, Jr. – Present

Others present:

Michael Potere – Licensing Operations Manager; Captain Darrell Richardson – Fire Department; Captain Sean Sheehan – Police Department; Seargent Rico Isidoro – Police Department.

Communications

1. Minutes of the Regular Licensing Commission Meeting of 2/18/2025.

The Licensing Commission approved the minutes on a voice vote.

2. City Clerk conveying proposed changes to Section 1.08(k) of the Somerville Licensing Commission Rules and Regulations to reflect an update to the Massachusetts General Laws.

k. Any licensee, or agent or employee thereof, who reasonably relies on any form of identification permitted under M.G.L. c. 138, § 34B, for proof of a person's identity and age shall not suffer any disciplinary action or any criminal liability for delivering or selling alcohol or alcoholic beverages to a person under twenty-one years of age. Such licensee shall be presumed to have used due care in making the sale, but such presumption shall be rebuttable. The information on the card or license must clearly



match the photograph and description of the card or license holder and there should be no obvious signs of tampering upon reasonable inspection.

Manager Potere explained that this proposed change to the Rules is intended to reflect a corresponding change in state law expanding the types of identification that can be used to verify age for the sale and service of alcohol. The authorized documents now include out-of-state driver's licenses and Global Entry Cards. Manager Potere explained that this change cites directly to the state law to include any future changes without the need for further amendment.

The Licensing Commission approved this change to Section 1.08(k) of the Licensing Commission Rules and Regulations on a voice vote.

Violations

3. Hearing for Galwegan Inc. d/b/a The Burren, 247 Elm Street, AL17-000037, pursuant to M.G.L. Ch. 138 §§ 23 and 64, to show cause as to why their All Forms Alcoholic Beverages 7 Day Restaurant License, 2AM Closing License, Common Victualer License, Outdoor Public Seating License, 10AM Sunday Opening License, and Entertainment by Devices, Patrons, and Performers Licenses should not be modified, suspended, revoked or forfeited, or the hours during which alcoholic beverages be reduced, for alleged violations of the following Somerville Licensing Commission Rules and Regulations:

Somerville Licensing Commission Rule 1.09(a) –

It shall be the obligation of licensees to ensure that a high degree of supervision is exercised over the conduct of the licensed establishment at all times. Each licensee will be held accountable for all violations that are related to the licensed premises to determine whether or not the licensee acted properly in the given circumstances.

Somerville Licensing Commission Rule 1.09(e) –

When any noise, disturbance, misconduct, disorder, act or activity occurs in the licensed premises, or in the area in front of or adjacent to the licensed premises, or in any parking lot provided by the licensee for the use of its patrons, which in the judgment of the Commission adversely affects the protection, health, welfare, safety or repose of the residents of the area in which the licensed premises are located, or results in the licensed premises becoming the focal point for police attention, or is offensive to public decency, the licensee may be held in violation of the license and subject to proceedings for suspension, revocation or modification of the license.



Continued from the February 18, 2025 Licensing Commission meeting.

Attorney Dennis Quilty appeared on behalf of the licensee, who also appeared by and through Tommy McCarthy, Joanne Conroy, and Sean Ochormacain.

Chair Lynch began the hearing by explaining that the licensee is before the Commission due to a fight that took place on January 10, 2025, as well as relevant calls to the police during the past several years, which is causing concern among the Commissioners. Chair Lynch further explained that the January 10th incident involved a patron breaking a glass bottle over the head of another patron, resulting in a call to the police, trips to the hospital, and resulting criminal charges. Captain Sheehan added that the injuries sustained by the victim were serious and resulted in the assailant being charged with a felony, and noted that the criminal case is ongoing. Attorney Quilty spoke on behalf of the licensee and stated that it was the licensee's employees who located the assailant, called the police, and escorted them out of the building.

Chair Lynch asked to hear from witnesses to the event, and Sean Ochormacain stated that they are the Backroom Manager, have worked for the licensee for 10 years, and were present the night of the altercation. Chair Lynch asked if they thought the assailant and victim were intoxicated that night, and the licensee responded, "Not at all." Commissioner Thomas stated for the record that they do not believe this claim is credible, and that they believe alcohol was involved. Commissioner Thomas asked how many security guards were on duty that night, and the licensee replied five.

Chair Lynch asked if the licensee kept a written record of the event, and the licensee replied that they likely did write up a report of this event, and that they write a report at the end of every night as a matter of general course. Chair Lynch asked if the licensee keeps track of individuals who are banned from the establishment, and the licensee stated they do not have a formal system, and that they also do not have to ban many people.

Chair Lynch stated for the record that they believe the licensee's staff handled the aftermath of the fight appropriately by tending to the wounded patrons, escorting them outside, and calling the police. Captain Sheehan replied by asking if there is video footage available of the incident, and the licensee stated cameras do cover the area. Captain Sheehan then asked if anyone from the police department called to obtain the footage, and Joanne Conroy replied that there was "absolutely nothing" on the camera and that they declined to turn any footage over to the police. Chair Lynch replied by stating that there could have been useful information in the footage, such as the assailant moving towards the victim or away from the scene of the incident. Captain Sheehan added that this is a very serious assault and footage



is normally produced and reviewed by the police. Commissioner Thomas stated for the record that they are concerned by the licensee declining to assist the police in the investigation by producing the footage from the security cameras.

Chair Lynch continued by stating for the record that the licensee was also listed twice on the Attorney General's OUI Report, where individuals cited for driving under the influence reported they had their last drink at the licensee's establishment. In addition, the Alcoholic Beverages Control Commission (ABCC) investigated the licensee in September 2023, and subsequently found them in violation for the sale of alcohol to persons under the age of 21 in September of 2024. The ABCC penalized the licensee with a suspension, which reduced to a fine of more than \$35,000 at the licensee's request. Chair Lynch also stated for the record that the police requested a detail for the establishment for the month of December in response to the number of calls received. Chair Lynch continued that the list of 91 calls produced for this hearing are not all relevant, but that they believe the calls for "MEDICAL" are likely due to overserving patrons.

Tommy McCarthy, the owner of the establishment, appeared before the Commission and began by explaining that they have a format in place where their staff make a written record every night regarding the day's business, and that report would include any incidents. The licensee continued that they would be willing to provide these reports to the Commission, and that they do not recall seeing any incidents similar to this where the police were called. Chair Lynch asked how they train their staff, and the licensee replied that they have three managers, one who has been there for 20 years, and another who has been there for 10, and that they believe these managers are properly taking care of the business. Commissioner Allen asked if a person being kicked out of the establishment would be included in the daily report, and the licensee responded that it would, but that they do not keep a running list of people who have been banned. The licensee added that typically people go to their establishment to have fun, and that fights among patrons are rare. Commissioner Allen noted for the record to the licensee that the request for police detail in December 2024 was only for this establishment, not for all establishments with a 2AM license.

Chair Lynch asked what assurances could be given that the licensee would not receive further complaints, who replied that they believe their staff is doing an excellent job.

Commissioner Allen stated for the record they believe the licensee responded appropriately to the January incident.

Attorney Quilty asked the Commission to consider that the licensee has never been brought before it in the past 30 years, and that they served their punishment for the



ABCC violation. Manager Potere stated for the record that this licensee was, in fact, called before the Commission in October 2015 for an assault on the premises.

Chair Lynch moved to amend this license, AL17-000037, by changing its operating hours to end at 11:00 p.m., seven days per week. He further moved to hold this amendment in abeyance for the next three months, on the condition that no major incidents occur at this establishment during this time. Any additional incidents will require the licensee to appear again before the Commission for the formal implementation of this change in operating hours. Chair Lynch added that what constitutes a “major incident” would be evaluated by the Commission in the event it receives any complaints from neighbors or the police.

The Licensing Commission approved the change to this license to reduce its operating hours to discontinue alcohol service at 11:00 p.m., held in abeyance for three months on the condition that the Commission does not receive any reports of major incidents at this location, on a voice vote.

New
Common Victualer License

4. Compass Group USA Inc d/b/a Capital One Café, 425 Revolution Drive, requesting approval of a Common Victualer License.
Hours of operation:
Mon-Fri: 6:30 a.m. to 7:00 p.m.
Sat: 8:00 a.m. to 7:00 p.m.
Sun: 9:00 a.m. to 5:00 p.m.
Indoor seats: 60
(AL23-000029)

Continued from the February 18, 2025 Licensing Commission meeting.

Matt Hoff, the applicant, appeared before the Commission and explained that this application is based on a change of ownership for the Capital One Café, and that the business has continued operating and has otherwise not changed. The applicant explained that this establishment sells coffee and pastries and has no entertainment devices. Commissioner Thomas asked if there are any accessibility or mobility issues related to having 60 seats, and the applicant said there are not.

The Licensing Commission approved this Common Victualer license on a voice vote.



Existing Common Victualer License
Alteration of Premises

5. Modelo Butcher Market Inc. d/b/a Modelo Butcher Market, 501 Medford Street, requesting approval of Alteration of Premises.
Current Indoor Seats: 16
Proposed Indoor Seats: 24
(ALM24-000043, amending AL19-000006)

Joe De Souza, the applicant, appeared before the Commission and explained that this request is to increase the number of seats in the restaurant based on an increased demand from their customers for indoor seating. The Commissioners asked no additional questions.

Captain Richardson reminded the applicant to coordinate a final inspection based on a few items that needed attention.

The Licensing Commission approved this Alteration of Premises license amendment on a voice vote.

Existing Marijuana Establishment License
Change of Hours

6. Sira Naturals, Inc. d/b/a AYR, 240 Elm Street, requesting approval of a Change of Hours.
Current Hours: Mon-Sun: 10:00 a.m. to 10:00 p.m.
Proposed Hours: Sun-Weds: 10:00 a.m. to 10:00 p.m., Thurs-Sat: 10:00 a.m to 11:00 p.m
(MEA25-000001, amending ME20-000008)

Dwan Packett, the applicant, appeared before the Commission and explained that this requested change in hours will align with their neighbors and allow them to stay competitive. Commissioner Allen asked if they have had any issues or infractions with the Cannabis Control Commission, and the applicant replied they have not. The applicant runs a co-located medical and recreational use establishment, and Chair Lynch reminded the applicant that this Commission can only amend the hours for their recreational license and they would need to contact the state regarding the hours for their medical license.

The Licensing Commission approved this Change of Hours license amendment on a voice vote.



Special Alcohol Licenses

7. St. Anthony Parish, 12 Properzi Way Somerville, requesting the approval of a Special Alcohol License (All Forms) for Baile das Maes (Mother's Day), to be held indoors at 12 Properzi Way on 5/10/25 from 8:00 p.m. to 1:00 a.m. (Alcohol Service). (PEL25-000020)

Nilton Pureza, the applicant, appeared before the Commission and explained that this is their annual Mother's Day event, and that there will be approximately 200-300 people in attendance. Captain Sheehan stated that this event will need a police detail due to its size. Chair Lynch asked if the alcohol would be purchased from an authorized distributor, which the applicant confirmed.

The Licensing Commission approved this Special Alcohol License on a voice vote.

8. St. Anthony Parish, 12 Properzi Way Somerville, requesting the approval of a Special Alcohol License (All Forms) for Festa Junina 2025, to be held outdoors at the 12 Properzi Way parking lot on 6/21/25 from 4:00 p.m. to 11:30 p.m. (Alcohol Service). (PEL25-000021)

Nilton Pureza, the applicant, appeared before the Commission and explained that this is their annual June Festival and that they have been hosting this event for 30 years.

The applicant also stated that the event typically draws around 1,000 people. In response, Captain Sheehan asked for a police detail of two offices, and Captain Richardson asked for fire detail in the event of medical emergency.

The applicant asked that the hours be changed to 2:00 p.m. to 11:00 p.m., and Manager Potere noted the change and updated the application.

The Licensing Commission approved this Special Alcohol License, with hours amended to 2:00 p.m. to 11:00 p.m., on a voice vote.

9. Warehouse XI, 11 Sanborn Court, requesting approval of a Special Alcohol License (Wine and Malt) for Music at WXI, to be held indoors at 11 Sanborn Court on 3/16/25, 3/18/25, 3/21/25, 3/22/25, and 3/23/25 from 6:30 p.m. to 11:30 p.m. (Alcohol Service). (PEL25-000013)

Carrie Dahl, the applicant, appeared before the Commission and explained that this is Warehouse XI's common application for special alcohol licenses for live music at the venue. The applicant stated that they will be purchasing alcohol from an authorized distributor and check IDs prior to serving.



The Licensing Commission approved this Special Alcohol License on a voice vote.

10. Warehouse XI, 11 Sanborn Court, requesting approval of a Special Alcohol License (Wine and Malt) for Warehouse XI Music, to be held indoors at 11 Sanborn Court on 3/28/25, 4/3/25, 4/4/25, 4/6/25, and 4/8/25 from 7:00 p.m. to 11:00 p.m. (Alcohol Service).
(PEL25-000027)

Carrie Dahl, the applicant, appeared before the Commission and explained that this is Warehouse XI's common application for special alcohol licenses for live music at the venue. The applicant stated that they will be purchasing alcohol from an authorized distributor and check IDs prior to serving. The applicant also clarified that the change in time for this item is intentional.

The Licensing Commission approved this Special Alcohol License on a voice vote.

11. Warehouse XI, 11 Sanborn Court, requesting approval of a Special Alcohol License (Wine and Malt) for Music at Warehouse, to be held indoors at 11 Sanborn Court on 4/10/25, 4/11/25, 4/17/25, and 4/18/25 from 7:00 p.m. to 11:00 p.m. (Alcohol Service).
(PEL25-000028)

Carrie Dahl, the applicant, appeared before the Commission and explained that this is Warehouse XI's common application for special alcohol licenses for live music at the venue. The applicant stated that they will be purchasing alcohol from an authorized distributor and check IDs prior to serving.

The Licensing Commission approved this Special Alcohol License on a voice vote.

Late Items

New Common Victualer License

12. Emadeldine Derebala d/b/a Crispy Chick, 288A Broadway, requesting approval of a Common Victualer License.
Hours of operation:
Mon-Sun: 10:00 a.m. to 10:00 p.m.
Indoor Seats: 8
(AL25-000002)

Emaeldine Derebala, the applicant, appeared before the Commission and explained that their concept is to serve fried chicken and chicken wings for indoor service and



takeout, they have 35 years of restaurant experience, and that this is business is related to their existing establishment, Alfredo's Italian Kitchen. Commissioner Allen asked about the type of seating that would be provided, and the applicant responded barstools and countertop seating.

The Licensing Commission approved this Common Victualer license on a voice vote.

Special Alcohol License

13. Rolling Rose Mobile Bar, 52 Pollard Road, Plaistow, New Hampshire, requesting approval of a Special Alcohol License (Wine and Malt) for Bunnies & Blooms, to be held indoors at Warehouse XI, 11 Sanborn Court, on 3/30/25 from 10:00 a.m. to 2:00 p.m. (Alcohol Service).
(PEL25-000040)

Jeana Ortega, the applicant, appeared before the Commission and stated that this event is a daytime event planned to welcome the change in seasons and will be targeted to parents. The applicant added that they will be purchasing their alcohol from an authorized distributor and not importing alcohol from out-of-state state.

The Licensing Commission approved this Special Alcohol License on a voice vote.

Special Farmer Winery License

14. Blisspoint Meadery, 1 Fox Run Road, Bedford, requesting the approval of a Special Farmer Winery License to be held outdoors at the Union Square Farmer's Market, 66-70 Union Square, on Saturdays beginning 05/10/25 and ending 10/25/25, from 9:00 a.m. to 1:00 p.m. (Alcohol Service).
(SFW25-000001)

Jeff Venuti, the applicant, appeared before the Commission and stated that this is their annual application to participate in the Union Square Farmers Market. The Commissioners asked no additional questions.

The Licensing Commission approved this Special Farmer Winery License on a voice vote.