

**City of Somerville
Licensing Commission**

Regular Meeting by Remote Participation

**DRAFT OF THE
Minutes of the Regular Meeting
Monday,
June 13, 2022, at 6:00pm
Posted Friday, June 24, 2022 at 12:00pm**

The meeting was called to order at 6:03pm. Present were Commissioners, Allen (acting chair), and Thomas, Lt. Timothy Mitsakis of the Police Dept., Secretary to the Commission Lori Batzek, Assistant City Clerk, Bernabe Rodriguez, Director of Engineering, Brian Postlewaite, Members of the City Staff, Applicants, and members of the public.

The meeting adjourned at 7:52pm

A recording of this meeting is available online

**Monday
Regular Licensing Commission Meeting
June 13, 2022
6:00pm
Published Thursday, June 13, 2022 at 2:00pm**

Pursuant to Chapter 22 of the Acts of 2022, this meeting of the Licensing Commission will be conducted via remote participation. We will post an audio recording, audio-video recording, transcript, or other comprehensive record of these proceedings as soon as possible after the meeting on the City of Somerville website and local cable access government channels.

Copy & paste the following link into your internet browser to view this meeting live:

<https://attendee.gotowebinar.com/register/331126046911492876>

If you wish to submit comments on any item on this agenda, you may send written comments by US mail to the Secretary of the Licensing Commission, 93 Highland Avenue, Somerville, MA, 02143, or by email to ljbatzek@somervillema.gov. Your comments must arrive no later than 12 Noon on the day of the meeting, in order to be sure they are conveyed to the Commission.

COMMUNICATIONS

1. Minutes of the SPECIAL Licensing Commission Meeting from 4/27/22

The Commission Approved these Minutes.

2. Minutes of the Regular Licensing Commission Meeting from 5/16/22

The Commission Approved these Minutes.

3. Communication from Chair Joseph Lynch sent to Licensee's for a Notice Regarding Serving Alcoholic Beverages to Minors – Issued: May 27, 2022

The Commission made a note of this item and placed it on file

4. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, May 21, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

5. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, May 22, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

6. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, May 23, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

7. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, May 24, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

8. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on

Wednesday, May 25, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

9. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, May 26, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

10. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, May 27, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

11. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, May 28, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)-appears to be the wrong date on notice for Saturday, May 27, 2022

The Commission made a note of this item and the secretary's note, (no reply was received by the Caterer) and this notice was placed it on file

12. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, May 29, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

13. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, May 30, 2022, 2022 from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

14. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, May 31, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

15. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, June 2, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

16. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, June 3, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

17. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, June 4, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

18. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, June 5, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

19. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, June 6, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

20. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, June 7, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

21. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, June 7, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

22. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, June 9, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

23. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, June 10, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

TEMPORARY OUTDOOR SEATING

License #	Business Name	Address	Parklet	Private	Sidewalk	Heating Element
ALM22-000083	Rei De Picanha	129 Broadway	X			
ALM22-000089	Thirsty Scholar	70 Beacon St		X		

Alteration of Premises

24.

Director of Engineering, Brian Postlewaite spoke on these Temporary Outdoor Seating applications:

Rei De Picanha – 30 Parklet Seats

Brian Postlewaite recommends approval of this Parklet Seating. He stated there were no objections from the adjacent business. 2 parking spaces will be used for this parklet and Jersey Barriers will be implemented.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Thirsty Scholar – 36 Private Property Seats

Brian Postlewaite recommends approval of this Private Property Seating. He stated the plans submitted for the tables and chairs were ADA accessible.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

CONTINUED FROM 5/16/22 **Existing All Forms Restaurant Alcohol License** **Entertainment by Devices Outdoors**

25. KB Investments Inc. d/b/a PJ Ryan's, 239 Holland St. requesting approval of an Entertainment by Devices – Outdoors License (ALM22-000018)

**This item was continued from 5/16/22 meeting per request of the licensee.*

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

Connor Brennan appeared for this application. Mr. Brennan stated he wished to put a speaker outside for piped music during the operation of the outdoor patio. Commissioner Thomas asked how large the speaker would be. Mr. Brennan stated he didn't have that information, because he hasn't purchased it yet, but something not to annoy the neighbors. Acting Chair Allen stated he appreciated Mr. Brennan being proactive about making sure there's no issue, due to the residents living about the establishment.

No members of the public spoke on this application.

The commission approved this Entertainment by Devices Outdoors License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

New
Common Victualler License,
Entertainment by Devices Indoors License

26. Joelito's LLC

d/b/a Gaya Pizzeria

8 Highland Ave.

Angel Chacon Vivas

Hours of Operation: Mon-Sat: 11:00am-10:00pm & Sun: 3:00pm-10:00pm

This is a new owner. Old owner was Sarb LLC AL19-000043

(AL22-000003)

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

Angel Chacon Vivas appeared for this application. Mr. Chacon Vivas stated they purchased this business from the previous owner. Acting Chair Allen asked if the previous owner had an existing Entertainment by devices Indoors License. Mr. Chacon Vivas stated yes and they just had a TV. Mr. Chacon Vivas stated he was new to the restaurant industry. Commissioner Thomas asked how many years of experience he had. Mr. Chacon Vivas replied this is his first.

No members of the public spoke on this application.

The commission approved this Common Victualler and Entertainment by Devices Indoors License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

New
Common Victualler License

27. Shirley the Restaurant LLC
d/b/a Shirley the Restaurant LLC
22a College Ave.
Katherine Bayle
Hours of Operation: Wed-Sun: 8:00am-3:00pm
AL22-000020
*New business at this address. Previous business was Oat Shop – AL17-0000328
(AL22-000020)

Katherine Bayle appeared for this application. Ms. Bayle stated that her lease is ending at Bow Market and she will be opening this establishment with a very similar concept.

The commission approved this Common Victualler License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

New
Common Victualler License,
Entertainment by Devices Indoors License
And Public Sidewalk Seating (Assembly Row)

28. Tatte Holdings LLC
d/b/a Tatte Bakery & Café
305 Assembly Row
DPB Design: Daniel Brennan
Manager: Megan Kittinger
Hours of Operation Indoors & Outdoors: Mon-Sun: 7:00am-9:00pm
(AL22-000022)

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

Daniel Brennan of DPB Design and Brendan Boyle appeared for this application. Mr. Brennan stated this space is currently under construction and is 3838 sq. ft. with 104 interior seats and 16 outdoor patio seats on the public sidewalk for 767 sq. ft. Mr. Brennan confirmed this is a public sidewalk with the landlord. The floor plan was revised to show the ADA compliance per the engineering department.

No members of the public spoke on this application.

The commission approved this Common Victualler, Entertainment by Devices Indoors and Public Sidewalk Seating License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing
All Forms 7 Day Restaurant Alcohol License

CHANGE OF HOURS
INDOORS & OUTDOORS PUBLIC PROPERTY

29. Taco Party LLC d/b/a Taco Party, 711 Broadway requesting approval of a Change of Hours for Food and Alcohol Indoors and Outdoors on Public Property
From: Mon-Sat: 11:00am-10:00pm & Sun: 12:00pm-7:00pm
To: Mon-Sat: 11:00am-10:00pm & Sun: 12:00pm-10:00pm
(ALM22-000096 – For License # AL19-000036)

Keith Shubert appeared for this application. Mr. Shubert stated it gets very busy on Sundays about an hour before they close. Commissioner Thomas asked what Mr. Shubert's seating capacity is. Mr. Shubert stated 34.

The commission approved this Change of Hours Indoors and Outdoors on Public Property on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing
All Forms 7 Day Restaurant Alcohol License

CHANGE OF OFFICERS/DIRECTORS/LLC MANAGERS

30. American Multi Cinema Inc. d/b/a AMC Theatre Assembly Row 12, 395 Artisan Way requesting approval for a Change of Officers:
from:
Adam M. Aron – President/CEO
Sean D. Goodman – EVP/Officer

Daniel E. Ellis - EVP/Officer
Kevin M. Connor – SVP/Officer
AMCE Holdings - Owner

To: Adam M. Aron – Chairman, Chief Executive Officer and President
Sean D. Goodman – Executive Vice President, International, Chief Financial Officer,
Treasurer and Director
Daniel E. Ellis – Executive Vice President, Chief Operations and Development Officer,
and Director
Kevin M. Connor – Senior Vice President, General Council, Secretary and Director
*AMCE Holdings – Owner (this is not listed on the Certificate of Secretary of American
Multi-Cinema, Inc. Notarized on March 28, 2022
(ALM22-000098 for License # AL17-000096)*

***Attorney Andrew Upton and Selena Udon appeared for this application. Attorney
Upton stated no other changes of operation, just the officers in Kansas. A discussion
was held on the titles listed.***

***The secretary stated the document showing AMCE holdings on the Certificate of
Secretary of State was received and sent to the commissioners***

***The commission approved this Change of Officers/Directors on a roll call vote with 2
in favor (Allen and Thomas), 0 opposed***

Existing
All Forms 7 Day Restaurant Alcohol License

Entertainment by Performers Indoors

31. Rincon Mexicano Inc. d/b/a Rincon Mexicano, 99 Broadway requesting approval for an
Entertainment by Performers Indoors License
ALM19-000009 for License # AL17-000202)

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

***Lorenzo Reyes appeared for this application. Mr. Reyes stated he would like to have a
Mariachi Band approx. once a week, with no amplified music.***

No members of the public spoke on this application.

The commission approved this Entertainment by Performers Indoors on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing
Wine and Malt 7 Day Restaurant Alcohol License

Change of Stock Interest,
Change of Officer/Directors,
and a Change of Manager

32. The House of Kebab Inc. d/b/a The House of Kebab, 719 Broadway requesting approval for a Change of Stock Interest from: Tarsem Singh 100% to Muna Ray 100%, a Change of Manager from Amrik Singh Seta to Bishnu Dabadi and a Change of Officers/Directors from:

Tarsem Singh – President

To: Muna Ray – President/Director

Sanjay Ray – Treasurer

Tarsem Singh – Secretary – (corrected name)

(ALM22-000012 for License # AL17-000335)

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

Attorney David Galusi appeared for this application. Attorney Galusi stated this restaurant is changing hands with Mr. Singh staying on as Secretary to provide some guidance. The previous Manager and Chef Amrik Singh is leaving and being replaced by the new Manager and Chef Bishnu Dabadi.

No members of the public spoke on this application.

The commission approved this Change of Stock Interest, Change of Officer/Directors and Change of Manager on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing
All Forms 7 Day Restaurant Alcohol License

Change of Manager

33. RF O’Sullivan’s Saloon LLC d/b/a RF O’Sullivan’s, 282 Beacon St. requesting approval for a Change of Manager from: Brianna Classen to: Tyler Smith
(ALM22-000073 for License # AL20-000018)

Attorney Michael Ford and Tyler Smith appeared for this application. Attorney Ford stated Mr. Smith has over 10 years of experience in this industry, with 4 months at R.F. O'Sullivan's, and has worked at Rochambeau, Area Four and Lolita's Cucina and Tequila Bar. He is TIP certified, Serv Safe certified and Choke Saver certified. Mr. Smith stated this will be his first manager of record, but has been managing different establishments for the last 10 years, with no actions from the ABCC or local Licensing Commissions. Mr. Smith stated he loves to hire locally.

The commission approved this Change of Manager on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing

All Forms 7 Day Restaurant Alcohol License

Alteration of Premises,

Entertainment by Devices Outdoors,

Entertainment by Performers Indoors and Outdoors

and Termination of Management Agreements

34. Bow Market Entertainment, LLC d/b/a Bow Market Hall, Comedy Studio, Rebel Rebel, Gallery, Saus, Tanam and Create, 30 Bow St. requesting approval for an Alteration of Premises (renovation of the space known as "The Comedy Studio" including adding 528 Sq Ft of space with a new name of the proposed space to be "Upstairs at Bow " and "Barfly"), an Entertainment by Devices Outdoors License, an Entertainment by Performers Indoors and Outdoors License and a Termination of Management Agreements for: The Comedy Studio Inc. and Create Studio Ventures LLC. The following Management Agreement entities remain in place and effect under the Licensee: 1. Olivo Culinary Company (Tanam), 2. Rebel Rebel, LLC and 3. Saus Somerville LLC (ALM22-000087 for License # AL17-000315)

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

Attorney Nick Zozula and Zack Baum appeared for this application. Attorney Zozula stated there are 3 amendments. The first is a renovation of the space, formerly used for the Comedy Studio, which will include an addition of an open-air covered porch area and will be renamed Upstairs at Bow, approximately 528 sq. ft. and adding seating capacity outdoors to the premises. This will update and expand the existing bar spaces and adjust the layout of the tables and chairs. He stated this is one liquor license owned and operated by Bow Market Entertainment with several sub licensees under

management agreements, which allow small businesses to operate under a liquor license without having to have all the costs of a liquor license. The Comedy Studio is moving back to Harvard and Create is looking for a larger space, and these two entities will no longer be acting as managers, and no new managers are proposed to replace these spaces, and these spaces will now be directly managed by Bow Market Entertainment. The added outdoor space will be on the second floor, existing space, from the side of the Comedy Studio space, over the court yard as a balcony area. A discussion was held on this area. Commissioner Thomas asked the process status of this renovation plan is currently, and have they been submitted to the city. Mr. Baum stated these plans have been submitted to Engineering for building permits. Acting Chair Allen asked about the entertainment. Attorney Zozula stated they want to add both amplified music and DJ performance to the Upstairs at Bow, similar to a European Market. Acting Chair Allen asked about the current entertainment and a discussion was held about this and one day special alcohol licenses. He also asked if any noise complaints were received during the special alcohol/events licenses during the last two years. Mr. Baum stated there were none and stated they are in very close communication with the neighbors. Commissioner Thomas asked if there are any increases in capacity. Attorney Zozula stated with the adjustments in the balcony, there would be an increase of 46 seats and an increase of 60 in the occupancy. Commissioner Thomas asked about how many entries there were to access the upstairs. Mr. Baum stated the architect stated the egresses were overbuilt previously, and there is also an emergency egress in the back of the Comedy Studio. Acting Chair Allen asked for a clarification of the management agreements. Attorney Zozula stated under the management agreements, the managers take responsibility for their mini license premises under their agreement with Bow Market Entertainment. Bow Market Entertainment has the authority and the purview and liability. The management agreement lays out what they can and cannot do, how they operate and how they can act on behalf of the licensee. These spaces will now be directly managed by Bow Market Entertainment and new management agreements will not be in place. Commissioner Thomas asked about the new spaces ADA accessibility. Mr. Baum stated this space is ADA accessible and across from the elevator.

No members of the public spoke on this application.

The commission approved this Alteration of Premises, Entertainment by Devices Outdoors, Entertainment by Performers Indoors and Outdoors and Termination of Management Agreements on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Existing
Wine and Malt Package Store License

Change of Officers/Directors/ LLC Managers
And a Change of Ownership Interest

35. Jai Gitanjali LLC d/b/a Get N Go 152 Highland Ave. requesting approval of a Change of Officers from Brijesh Kapadia, LLC Manager to Vijay Kapadia, LLC Manager and a Change of Ownership Interest

FROM: Brijesh Kapadia, LLC Manager – 50%

Puja Kapadia, LLC Manager - 25%

Antimkumar Parikh, LLC Manager – 25%

TO: Vijay Kapadia, LLC Manager – 50%

Puja Kapadia, LLC Manager - 25%

Antimkumar Parikh, LLC Manager – 25%

(ALM22-000093 for License # AL20-000025)

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

Elizabeth Pisano appeared for this application. Ms. Pisano stated there are no other changes being made, just a corporate change. Commissioner Allen asked how many years' of experience Mr. Vijay Kapadia has. Ms. Pisano stated she did not know, but that Mr. Kapadia is part of the family and he has been working for the stores.

No members of the public spoke on this application.

The commission approved this Change of Officer/Directors/LLC Manager and a Change of Ownership Interest on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

New

All Forms 7 Day Restaurant License - Assembly Row Area

Common Victualler License,

Entertainment by Devices and Performers Indoors and Outdoors License,

A Sunday Hours License

And Outdoor Patio (Private) License (Assembly Row)

36. Civility Inc. d/b/a Civility Social House, 490 Foley Street requesting approval of an All Forms 7 Day Restaurant License - Assembly Row Area, a Common Victualler License, an Entertainment by Devices and Performers Indoors and Outdoors License, a Sunday Hours License and an Outdoor Patio (Private) License (Assembly Row).

Hours of Operation Indoors and Outdoors for Food and Alcohol:

Mon-Sun: 11:00am-12:00am

(AL22-000016)

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

Brad Dalbeck appeared for this application. Mr. Dalbeck stated Legendary Restaurant Group operated the Burger Dive, and currently operates Papagayo. He is looking to add a new concept for this space that has been vacant for quite a while. Mr. Dalbeck confirmed the outdoor area is private property and this was confirmed by David Middleton. Mr. Dalbeck also stated that Mr. Damian who will be the manager and principal owner has been in the industry with Mr. Dalbeck for over 40 years and understands all the license laws, and they have had no incidents at the locations mentioned. Mr. Dalbeck confirmed Mr. Damian is TIPS certified. The premises is currently under renovation, and they are hoping to open sometime in August, depending on the approval process.

No members of the public spoke on this application.

The commission approved this All Forms 7 Day Restaurant License - Assembly Row Area, Common Victualler License, Entertainment by Devices and Performers Indoors and Outdoors License, A Sunday Hours License And Outdoor Patio (Private) License (Assembly Row) on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

LATE ITEMS

SPECIAL ALCOHOL LICENSES

37. Night Shift Brewing, 87 Santilli Hwy, Everett, MA requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Owls's Nest at Assembly Row by Night Shift Brewing to be held Outdoors at 325-375 Assembly Row Daily on 7/6/22 – 8/4/22, from 11:00am –10:00pm (Alcohol Service) (PEL22-000088)

Mr. Matthew Eshelman appeared for this application. Mr. Eshelman stated they operated last summer, all season long until the end of October, with a refrigerated draft container with 48 taps. They served both beer, cider and wine under their farmers brewers and farmer winery licenses. They have managers on duty and TIPS certified bartenders and will be partnering with local restaurants so guests can order food. They partnered with Smoke Shop last year. They are requesting a larger space, which they used at the end of the season last year, to include some of the green space. They will use this space for a beach volleyball setup, and guests will be able to have a drink while watching the event. No issues were reported last year with the Police Dept. or noise complaints received from abutters. A short discussion was held on PKL and

the pickleball area. Mr. Eshelman stated they will not be returning and Federal Realty is developing this area.

The commission approved this Special Alcohol License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

38.

LATE ITEMS

Alteration of Premises

<u>Temporary Outdoor Seating</u>	<u>License #</u>	<u>Business Name</u>	<u>Address</u>	<u>Parklet</u>	<u>Private</u>	<u>Sidewalk</u>	<u>Heating Element</u>
	ALM22-000081	Fuki Sushi	16 Bow St	X			
	ALM22-000084	Siam Ginger	22 Bow St	X		X	
	ALM22-000085	Tu y Yo Mexican Restaurant	858 Broadway			X	
	ALM22-000090	True Grounds	717 Broadway			X	
	ALM22-000091	Taco Loco Mexican Grill	46-48 Broadway	X		X	
	ALM22-000092	Tapatio	82 Broadway	X			
	ALM22-000096	Taco Party	711 Broadway			X	
	ALM22-000097	Highland Kitchen	15 Highland Ave		X		

Director of Engineering, Brian Postlewaite spoke on these Temporary Outdoor Seating applications:

Fuki Sushi – 20 Parklet Seats

Brian Postlewaite recommends approval of this Parklet Seating. This seating is partially on the sidewalk and the public way. Director Postlewaite placed a condition of approval for this license, by adding a Traffic Barrier Upstream. He stated the Traffic and speed of vehicles in this area warrant this barrier. He also stated any arterial street requires a barrier. Commissioner Thomas asked how far out the parklet extends beyond the existing parking spaces. Director Postlewaite stated no more than the existing parking spaces.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Siam Ginger – 4 Sidewalk Seats & 12 Parklet Seats

Brian Postlewaite recommends approval of this Sidewalk & Parklet Seating. He stated they had worked with the applicant on this. They also worked with the Traffic Commission, (and appeared at this meeting on Thursday night), and Traffic and Parking on consolidating the 2 loading zones, which were right next to each other, into 1 Loading Zone in front of the US Postal Service. Union Sq. Donuts & Siam Ginger now will have 2 metered parking spaces instead of a loading Zone. No other conditions are necessary except the barrier.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Tu y Yo Mexican Restaurant – 16 Sidewalk Seats

Brian Postlewaite recommends approval of this Sidewalk Seating. Mr. Postlewaite stated they worked with the applicant on this to ensure a sufficiently wide and clear sidewalk and is in compliance with the 48 inch clear sidewalk. The applicant is not proposing a fence or barrier around the seating and has a liquor license. Mr. Postlewaite asked the commission if this conflicts with the commission's requirements. The secretary stated a barrier is not needed, however, it does need to be distinguished separately. Mr. Postlewaite stated there have not been any issues with seating areas on the sidewalk without a barrier, and the required compliance. Acting Chair Allen stated the Somerville Licensing Commission Rules & Regulations for 1.18 part B (secretary confirmed, after this meeting, this should be part 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 present patrons or members of the public from wandering in or out. The enclosure must be described in the approved plans." Acting Chair Allen stated he concludes this means some sort of divider between the public way and patio seating when liquor is being served.

Acting Chair Allen provided the following language for these minutes:

"The Commission voted to approve, but noticed that the design as submitted to Engineering was incompatible with 1.18.C of the Licensing Commission Rules and Regulations, meaning alcoholic beverages could not be served on the patio as currently proposed. As proposed, alcohol cannot be served on the patio. If the applicant provides Engineering with a new design that has any kind of divider between it and the public way, and receives Engineering sign off, they are good to serve alcohol with no further action from the commission."

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

True Grounds – 12 Sidewalk Seats

Brian Postlewaite recommends approval of this Sidewalk Seating. Mr. Postlewaite stated they worked with the applicant on this to resolve their seating and come up with a good compromise. This seating area is complicated due to a bike rack in the middle of their frontage and is important to maintain this access. Engineering is working with DPW to shift the garbage bins in the lower left corner of the floor plans, closer to the traffic cabinet labeled as a utility vault, in order to shift the seating over to the left a few feet. The trash recycling will be shifted closer to the building in order to maintain access to the parking meter.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Taco Loco Mexican Grill – ALM22-000091 – 16 Sidewalk Seats & 3 Parklet Seat

Brian Postlewaite recommends approval of this Sidewalk & Parklet Seating. Mr. Postlewaite stated they current have a temporary license, and they are amending this license. They currently have 3 or 4 seats on the sidewalk. Additional seats are being requested in the parklet. He states engineering wants to be abundantly clear that they need to have a 48 inch passageway from the sidewalk to the parklet for ADA accessibility. The majority of ADA seating is on the sidewalk, with one handicap space in the parklet. Commissioner Thomas asked if the Fire Department approved the distance from the seating on the sidewalk and the second and third seats. Mr. Postlewaite stated this application was routed to Fire and they did approve this, specifically with proximity to the hydrant, he stated that Fire previously stated they generally are comfortable with movable chairs within proximity of the fire hydrant, it is the semi-permanent structures that have the critical 10-foot rule.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Tapatio – ALM22-000092 – 20 Parklet Seats

Brian Postlewaite recommends approval of this Parklet Seating. Mr. Postlewaite stated they have met all the requirements engineering had, with no conditions other than standard Parking Department conditions required for all parklets. Super Dollar plus was communicated with.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Taco Party – 12 Sidewalk Seats

Brian Postlewaite recommends approval of this Sidewalk Seating. Mr. Postlewaite stated this application meets all the criteria that engineering has. The ADA coordinator did review the seating. He stated he noticed that it doesn't appear to be labeled as ADA on the floorplan, but all the seating available for all seats is acceptable. Acting Chair Allen asked if there is over four feet distance between the railing and the store front. Mr. Postlewaite stated there was.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

Highland Kitchen – 40 Private Property Seats & 7 Propane Heaters – withdrew request for 7 Propane Heaters on 6/10/22 by email

Brian Postlewaite recommends approval of this Private Property Seating. Mr. Postlewaite stated this applicant is taking advantage of the city's flexibility in regards to the documentation they provided, but this location is entirely on private property and they did provide seating information to confirm accessible tables, and all tables are accessible with a single type of table provided. A discussion was held as to the stores abutting this parking lot. Mr. Postlewaite stated that part of the agreement with their neighbors and landlord is the removal of the furniture at the end of every day, so loading, dumpster removal and other back of house work can proceed during the day. Acting Chair Allen stated that this outdoor seating also falls under 1.18B (secretary confirmed, after this meeting, this should be part C), for a cordoned off area where alcohol is served.

The commission approved this temporary outdoor seating on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

LATE ITEMS

SPECIAL ALCOHOL LICENSES

39. Forge Baking Company, 626 Somerville Ave., requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for A Cambridge School, Peabody Terrace Children Center, is hosting an appreciation night for their teachers to be held Indoors at 626 Somerville Ave. on Friday, 6/24/22, from 6:30pm – 9:30pm (Alcohol Service)
(PEL22-000091)

Cortney Verhaalen appeared for this application. Ms. Verhaalen stated the owners son goes to the school holding this event, and they will be hosting a teacher appreciation night. There will be approximately 30-35 guests. The server will be TIPS certified. Ms. Verhaalen stated they will be using an approved vendor to purchase the alcohol. Ms. Verhaalen stated they will not be holding End Season Dinners, and that they have their hands full after the pandemic. The majority of the special alcohol licenses being held now, will be for people wanting to rent their space.

The commission approved this Special Alcohol License on a roll call vote with 2 in favor (Allen and Thomas), 0 opposed

LATE ITEMS

Existing

Wine & Malt 7 Day Alcohol License – Quota W&M License

***Change of Manger**

****Administrative Item Only in Citizen Serve**

40. Davis Square Food Services Inc. d/b/a Boston Burger, 37 Davis Sq. requesting approval for a Change of Manager, in Citizen Serve from Justin Lisonbee to Paul Malvone.

**ABCC lists Paul Malvone as the current manager. Citizen Serve lists Justin Lisonbee as the current manager.*

ALM22-000094 for License # AL17-000094

****This is an administrative item only**

The commission made a note of this Administrative Item

LATE ITEMS

COMMUNICATIONS

41. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Monday, June 13, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

42. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Tuesday, June 14, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

43. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Wednesday, June 15, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

44. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Thursday, June 16, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

45. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Friday, June 17, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

46. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Saturday, June 18, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

47. The Catered Affair, P.O. Box 432 Hingham, MA notifying the Commission of an Event for approximately 35 Guests, to be held at The Cambria Hotel, 515 Somerville Ave., on Sunday, June 19, 2022, from 4:00pm – 6:00pm (Alcoholic Beverages served from The Catered Affair)

The Commission made a note of this item and placed it on file

48. **No 12C Caterers notification received for: Wednesday, 6/1/22, Saturday, 6/11/22 or Sunday, 6/12/22

The commission did not address or take note on this notification by the secretary