

**City of Somerville
Licensing Commission**

**Senior Center
Tufts Administration Building
167 Holland Street**

**Regular Meeting
Monday
August 19, 2013
6:00 p.m.**

1. Minutes of the July 15, 2013 meeting.

Communications

2. Alcoholic Beverages Control Commission Notice of Informational Hearing, Papagayo, 311 Great River Road.
3. 99 Restaurant & Pub, 20 Cummings St. notifying the Commission that they will be closed down for five days beginning Oct. 20-24, 2013 to complete a routine “refresh” of the restaurant.

Common Victualer Licenses

4. Ola G. Café, 112 Broadway requesting approval to change hours to include Sundays. (7 days from 6AM-6PM).
5. Whole Food Market
45 Beacon St.
Michael Walker
6. Top Speed Pizza
8 Highland Ave.
Sandro Attaccalite

Special Alcohol Licenses

7. Galwegan, Inc. d/b/a The Burren requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for 5K BBQ to be held at Grove St. parking lot behind the Burren on August 25, 2013 9PM-6PM (rain date Sept. 8, 2013).

8. Johnny D's Uptown Lounge, 17-27 Holland St. requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for SomerStreets event to be held outdoors from Davis Sq. to Teele Sq. on Sept. 8, 2013 from Noon-4PM.
9. PJ Ryans, 239-241 Holland St. requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for SomerStreets event to be held outdoors from Davis Sq. to Teele Sq. on Sept. 8, 2013 from Noon-4PM.
10. Rudy's Cafe, 248-250 Holland St. requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for SomerStreets event to be held outdoors from Davis Sq. to Teele Sq. on Sept. 8, 2013 from Noon-4PM.

All Forms Alcoholic Beverages
7 Day Restaurant License

Transfer of license
& Entertainment License

11. Cuisine En Locale, Inc. requesting to transfer the All-Forms Alcoholic Beverages 7 Day Restaurant license from Anthony's Functions, Inc., 156 Highland Ave. and for an Entertainment License for Entertainment consisting of Entertainment by performers, patrons and devices.

Wine and Malt Package Store License

Transfer & Change of Location

12. Everest Mart, Inc. d/b/a Union Mart, 71-72 Union Square to transfer the Wine and Malt package store license and approval for a change of location from Fauji Corp., d/b/a Farmers Bounty, 234 Elm St. (Last transfer was disapproved by ABCC).

VIOLATION

13. The Center for Arts at the Armory, 191 Highland Ave. to show cause why the Wine and Malt Restaurant license, Common Victualer and Entertainment License of the above-referenced establishment should not be modified, suspended, revoked, or the hours during which sales of alcoholic beverages may be made reduced for alleged violation of Somerville Licensing Commission Rules and Regulations to wit:-

Somerville Licensing Commission Rule 1.05.a(3). Licensees must ensure that their patrons leave the premises in an orderly manner. Licensees who have a clientele that

regularly fails to leave the area in a quiet and orderly manner must take appropriate steps which may include a police detail to supervise the leave-taking of the patrons at closing time. Said police detail shall be in addition to, and not instead of, the licensees own personnel;

Somerville Licensing Commission Rule 1.06.e. No outside area may be used as a waiting area or other gathering place for patrons without prior approval by the Commission.

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 1.11.d. No entertainment may take place at a licensed premises and no member of the public may be at the licensed premises except during the hours and days when the Commission has approved the premises to be open to the public. It shall be a violation of the food or beverage license if entertainment is conducted on the premises prior to the opening hour set by the Commission or subsequent to the closing hour set by the Commission for the exercise of the food or beverage license or during any period when the food or beverage license has been suspended.

Somerville Licensing Commission Rule 1.05.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.

The date of the alleged violations were April 20, 2013 & May 18, 2013