

**City of Somerville  
Licensing Commission  
Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Monday  
November 21, 2011  
6:00 p.m.**

**MINUTES**

1. Minutes of the September 19 & October 11, 2011 meetings.
2. Approval of Extension of hours till 2AM on New Years Eve for All Forms Restaurants.

**COMMUNICATIONS**

3. Communication from the Board of Aldermen (Docket #192068) the BOA requests that the Licensing Commission consider amending its regulations to require that new liquor license applicants undergo training for the sale of alcohol to underage individuals.
4. Communication from Attorney Mark Zuroff, notifying the Commission that the Namaskar Restaurant application, continued from the October 17, 2011 hearing is being withdrawn without further action.

**SPECIAL ALCOHOL LICENSES**

5. St. Anthony's Parish, 12 Properzi way requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages at a New Years Eve Party on December 31, 2011 from 8:30PM-1:30PM.

**ENTERTAINMENT LICENSES**

6. EBI Sushi, Inc. 290 Somerville Ave., requesting approval for an Entertainment License consisting of Stereo and two televisions.

**COMMON VICTUALER LICENSES**

7. Yofi, Inc.  
d/b/a Alfredo's Italian Kitchen  
284 Broadway  
Omar Masood

8. Royal Punjab Enterprises, Inc.  
Ultimate Pizza and More  
711 Broadway  
Gurcharan S. Gill
9. Palm Sugar Thai Corp.  
195 Elm St.  
Thitiphon Duangphirom
10. Xhuveli Corporation  
d/b/a Davis Square Pizza & Subs  
351-351A Highland Ave.  
Taulant Hibroj

**SPECIAL FARMER WINERY LICENSES**

11. Zoll Brothers Private Cellars, LLC requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at The Somerville Winter Farmer's Market to be held at the Center for Arts at the Armory, 191 Highland Ave. on twelve consecutive Saturdays, Nov. 26, 2011 thru May 26, 2012 from 9:30AM-2:30PM.
12. David Neilson d/b/a Coastal Vineyards requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at The Somerville Winter Farmer's Market to be held at the Center for Arts at the Armory, 191 Highland Ave. on twelve consecutive Saturdays, Nov. 26, 2011 thru May 26, 2012 from 9:30AM-2:30PM.
13. Lexington Consulting Group, Inc. d/b/a Turtle Creek Winery requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at The Somerville Winter Farmer's Market to be held at the Center for Arts at the Armory, 191 Highland Ave. on twelve consecutive Saturdays, Nov. 26, 2011 thru May 26, 2012 from 9:30AM-2:30PM.

**2:00AM CLOSING**

**ALL FORMS ALCOHOLIC BEVERAGES 7 DAY RESTAURANT LICENSES**

14. **EXTENDED HOURS REVIEW**

<u>Date Approved</u>	<u>Business</u>	<u>Address</u>
9/29/05	P J Ryan's	239-241 Holland Street
2/26/07	The Burren	247 Elm Street
5/2/08	The Joshua Tree	256 Elm Street
8/18/08	Diva	246-248 Elm St.REVOKED
3/23/09		
06/21/2010		RE-INSTATED* (07/2010)
12/14/09	Orleans Restaurant	59-65 Holland St.
12/27/05	On the Hill Tavern	499 Broadway
12/21/05	Casey's	171 Broadway

**WINE AND MALT RESTAURANT LICENSE**

**Alterations to Premises**

**Change of Manager**

**Change of D/B/A/**

15. Davis Square Food Services, Inc., 37 Davis Sq. requesting approval for a change of d/b/a from Antonio's to Boston Burger Company, change of manager from Craig Resmini to Paul Malvone and for alteration to the premises to expand 300 feet and add 18 seats at the above address.

**ALL FORMS ALCOHOLIC BEVERAGES**  
**7 DAY RESTAURANT LICENSES**

**Continued from October 17, 2011 meeting**

**Transfer of License**

**Change of Location**

16. New Asia, 324-328 Somerville Ave. requesting approval to transfer its All Forms Alcoholic Beverages 7 Day Restaurant license to Slow Train Coming LLC, d/b/a Redbonita's, 49 Day St. and approval for a new Common Victualer and Entertainment license consisting of a mariachi band, video and audio.

**Transfer of License**

17. Ranch Sports Grill Restaurant, Corp. to transfer the All-Forms Alcoholic Beverages 7 Day Restaurant License from H.I.O. Restaurant, Inc. d/b/a Café Belo, 120 Washington St., ( Business closed- License taken by Court Civil

Action) Also for an Entertainment license consisting of Entertainment by Performers, Patrons and Devices at 120 Washington St. & for a new Common Victualer license.

**Transfer of License**

18. Lil Vinny's, Inc., 525-527 Medford St. to transfer its All Forms Alcoholic Beverages 7 Day Restaurant License to Demeter Hospitality, LLC d/b/a Daddy Jones also for an Entertainment License consisting of Entertainment by Performers & Devices at 525-527 Medford St. & for a new Common Victualer license.

**VIOLATIONS**

19. Las Brisas, 561 McGrath Hwy., to show cause why its Common Victualer License and Entertainment License(s) should not be modified, suspended, revoked or forfeited, for alleged violation of Somerville Licensing Commission Rules and Regulations and Massachusetts General Laws, to wit:-

**1.17. Permission to Close Premises Required**

a. Licenses are granted to serve the public need and to that end licensees are expected to operate the licensed premises for a substantial number of hours on all days when the premises are permitted to be open under the terms of the license. In the case of alcoholic beverages licenses, the numbers of which are limited according to statute, no alcoholic beverages licensee may close its place of business for any reason other than the following:

(1) upon request to the Commission for closing in order to do renovations after approval by the Commission for such renovations and for a reasonable time of closing in order to perform the renovations;

(2) to comply with the Alcoholic Beverages Control Commission's Annual Calendar of Holidays and Sunday Package Store Openings;

(3) a closing of one or more days per week upon approval of the Commission pursuant to licensee's request and a showing by licensee that it does not have adequate business upon such days;

(4) a closing due to an act of God or an illness or some other business problem for which request has been made to the Commission and approval granted.

b. Alcoholic beverages licensees may not close the licensed business on any days for which their entertainment license has been suspended unless they make such request to the Commission based upon the licensee's allegation that its primary business comes from the entertainment at the premises and that there would be little or no business or public reason to keep the premises open during the days when entertainment cannot be provided at the premises. Such requests will be granted by the Commission when the entertainment is a primary attraction for the public at the licensed premises. Licensees not requesting to close the premises during days on which their entertainment licenses are

suspended may remain open to the public for the sale and service of alcoholic beverages and food but may not conduct any type of entertainment on the premises during the suspension period.

The Somerville Licensing Commission requested at the October 17, 2011 that the Licensee personally before the Commission at the November meeting for a show cause hearing.

20. Woody's Liquors, 523 Broadway to show cause why its All Forms Package Good Store license should not be modified, suspended or revoked for alleged violation of Massachusetts General Laws Chapter 138 §34-Sale, delivery or furnishing alcoholic beverages to a person under twenty-one years of age and Somerville Licensing Commission Rules and Regulations to wit:-

Somerville Licensing Commission Rule 1.08i -. Whoever makes a sale or delivery of any alcoholic beverages or alcohol to any person under twenty-one years of age, either for his own use or for the use of his parent or any other person, or whoever, being a patron of an establishment licensed under section 12 or 15 of General Laws Chapter 138 delivers or procures to be delivered in any public room or area of such establishment any such beverages or alcohol to or for use of a person who he knows or has reason to believe to be under twenty-one years of age or whoever procures any such beverages or alcohol for a person under twenty-one years of age in any establishment licensed under section 12, or procures any such beverage or alcohol for a person under twenty-one years of age

who is not his child, ward or spouse in any establishment that is a package store, shall be subject to disciplinary action by the Licensing Commission.

The date of the alleged offense was September 1, 2011 as reported to this office by Somerville Police Inspector Joseph McCain. Please refer to Inspector McCain's report that is attached hereto and is incorporated herein by reference.

21. SAV-MOR Discount Liquors, 15-17R McGrath Highway to show cause why its All Forms Package Good Store license should not be modified, suspended or revoked for alleged violation of Massachusetts General Laws Chapter 138 §34-Sale, delivery or furnishing alcoholic beverages to a person under twenty-one years of age and Somerville Licensing Commission Rules and Regulations to wit:-

Somerville Licensing Commission Rule 1.08i -. Whoever makes a sale or delivery of any alcoholic beverages or alcohol to any person under twenty-one years of age, either for his own use or for the use of his parent or any other person, or whoever, being a patron of an establishment licensed under section 12 or 15 of General Laws Chapter 138 delivers or procures to be delivered in any public room or area of such establishment any such beverages or alcohol to or for use of a person who he knows or has reason to believe to be under twenty-one years of age or whoever procures any such beverages or alcohol for

a person under twenty-one years of age in any establishment licensed under section 12, or procures any such beverage or alcohol for a person under twenty-one years of age

who is not his child, ward or spouse in any establishment that is a package store, shall be subject to disciplinary action by the Licensing Commission.

The date of the alleged offense was September 29, 2011 as reported to this office by Somerville Police Inspector Joseph McCain. Please refer to Inspector McCain's report that is attached hereto and is incorporated herein by reference.

**CLUB LICENSE**

**Continued from October 17, 2011**

22. George Dilboy Post 529, Inc., VFW 371 Summer St., requesting approval for a change of location of the All Forms Alcohol Club license to 343-349, 351 Summer St and for an Entertainment License for Entertainment by Performers, Patrons and Devices.