

**City of Somerville  
Licensing Commission**

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

**Regular Meeting  
Monday  
September 21, 2009  
6:00 p.m.**

**COMMON VICTUALER LICENSES**

1. Red Peppers  
Jose Araujo  
65 Summer St.
2. Bom De Boca Grill, Inc.  
Luciane Tavares  
3 Washington St.

**SPECIAL ALCOHOL LICENSES**

3. St. Anthony's Church requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Sertaneja Dance to be held at the school gymnasium, 12 Properzi Way on September 26, 2009 between the hours of 8:00PM and 12:00AM.
4. Hellenic Association of Somerville requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Wedding Anniversary Party at Dormition of the Virgin Mary Greek Church, 29 Central St. on October 3, 2009 between the hours of 7:00PM to 12:00AM.
5. Hellenic Association of Somerville requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Sweet 15 party at Dormition of the Virgin Mary Greek Church, 29 Central St. on October 10, 2009 between the hours of 6:00PM to 12:00AM.
6. Hellenic Association of Somerville requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Church Fundraiser/Night of Comedy at Dormition of the Virgin Mary Greek Church, 29 Central St. on November 14, 2009 between the hours of 8:00PM to 12:00AM.

7. Red Bones requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages at a Fall Festival Party to be held on Chester St. on October 4, 2009 between the hours of 12Noon and 6:00PM. (rain date October 18, 2009).
8. ArtsSomerville Nave Gallery requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages at a fundraising event to be held at the Clarendon Hill Presbyterian Church, 155 Powderhouse Blvd. On October 15, 2009 between the hours of 7:00PM and 10:00PM.
9. Cambridge Portuguese Credit Union requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages at the 3<sup>rd</sup> annual Passport to Possibilities-Community Appreciation Event to be held at St. Anthony's Parish Hall, 12 Properzi Way on October 16, 2009 between the hours of 3:30PM and 7:30PM
10. The Center for Arts at the Armory 191 Highland Ave., requesting approval of a Special Alcohol license on behalf of VoidStar Production, David Dobson for the purpose of dispensing and selling alcoholic beverages for an Ordnance-Multi-Media Dance Performance to be held on September 27, 2009 between the hours of 5:00PM and 10:00PM.
11. The Center for Arts at the Armory 191 Highland Ave., requesting approval of a Special Alcohol license on behalf of VoidStar Production, David Dobson for the purpose of dispensing and selling alcoholic beverages for an Ordnance-Multi-Media Dance Performance to be held on October 10, 2009 between the hours of 6:00PM and 11:00PM.
12. Joe Grafton, Somerville Local First and Downtown Wine & Spirits requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages at a Harvest Fest to be held at The Center for Arts at the Armory, 191 Highland Ave. on October 3, 2009 between the hours of 12Noon and 8:00PM.
13. City of Somerville – Mayor's Office requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages at the All American City Award Celebration to be held at The Center for Arts at the Armory, 191 Highland Ave. on October 17, 2009 between the hours of 6:00PM and 11:00PM.

**STATUS REPORT**

14. H.I.O. Restaurant, Inc., d/b/a Café Belo, 120 Washington relative to the violation hearing from the August 17, 2009 meeting. Mr. DaCosta is reporting back to this Board with his monitoring plan as requested at the last meeting.

**VIOLATIONS**

15. Armur, Inc., d/b/a The Joshua Tree, 256 Elm St., to show cause why its All Forms Alcoholic Beverages 7 Day Restaurant License, 2AM Closing, Common Victualer License, Entertainment License and Dance License should not be revoked or the hours during which alcoholic beverages made be made reduced for alleged violation of Somerville Licensing Commission Rules and Regulations to wit:-

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.

Somerville Licensing Commission Rule 1.13.a (5) - Licensees shall make all reasonable and diligent efforts to ensure that illegal activities do not occur at the licensed premises. Such efforts may include, but are not limited to: calling for police assistance as necessary to protect patrons against injury or to evict unruly patrons or to uncover unlawful conduct or to give medical assistance and providing police with requested information;

Somerville Licensing Commission Rule 1.14.a. -Licensees shall instruct their employees and security personnel that they are not to make bodily contact with a patron unless to protect other patrons or themselves from being subjected to body blows or other harm from an unruly patron. In all other circumstances employees and security personnel are to call the police to have patrons removed from the premises when such patrons are being disruptive and they are unable to convince the patron to leave the premises voluntarily.

Somerville Licensing Commission Rule 1.14.b- Licensees shall call the police and an ambulance and take all other reasonable steps to assist patrons and persons who are injured in or on the licensed premises or whose injuries have occurred outside the premises but have been brought to the attention of the licensee.

The date of the alleged offense was July 18, 2009 as reported to this office by Somerville Police Officer Natacha Montana-Garcia.

16. A & C Food Corp., d/b/a Zoe's Chinese Restaurant, 296-298 Beacon St., to show cause why its Common Victualer License should not be modified, suspended, revoked or forfeited, for alleged violation of Somerville Licensing Commission Rules and Regulations and Massachusetts General Laws, to wit:

Somerville Licensing Commission Rule 2.02.a - Patrons are not permitted to bring alcoholic beverages on the premises for their own consumption. Licensees are not permitted to keep alcoholic beverages on the premises except for a reasonably small quantity that is used in the preparation of certain specialty foods. The Commission will, in its discretion, determine what is reasonable for this purpose and whether it is customary in the preparation of such specialty foods.

The date of the alleged offense is August 12, 2009 as reported to this office by Somerville Police Inspector Warren Chaille.

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

**NEW LICENSE**

**CONTINUED FROM AUGUST 17, 2009 MEETING**

17. A & C Food Corp., d/b/a Zoe's Chinese Restaurant, 296-298 Beacon St. requesting approval of a new All Forms Alcoholic Beverages 7 Day Restaurant License and for an Entertainment License consisting of audio and two televisions.