

**City of Somerville
Licensing Commission**

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

**Regular Meeting
Monday
March 18, 2013
6:00 p.m.**

MINUTES

Chairman Andrew Upton called the meeting to order. Present were Commissioner Vito Vaccaro, Inspector Warren Chaille & Executive Secretary Jenneen M. Pagliaro.

Minutes of the February 20, 2013 meeting were accepted as submitted.

Communications

Adilia Pereira from Anthony's Functions Inc., 156 Highland Ave. notifying the Commission that this establishment has gone out of business and Ms. Pereira is currently working with a lawyer in regards to the liquor license. The Board took administrative notice.

Common Victualer License

**Danny's Inc. d/b/a Romanzza Pizzeria
362 Mystic Ave.**

Present: Aurora Cenolli

Ms. Cenolli came before the Commission requesting approval of a Common Victualer License for Romanzza Pizzeria at 362 Mystic Ave.

Ms. Aurora has restaurant experience.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: To approve the Common Victualer license as presented.

Special Alcohol Licenses

**MOM's Run 5K Cancer fundraiser
for Dana-Farber Cancer Institute**

Present: Gordon Pilotte

Mr. Pilotte came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for a post Road Race party gathering to be held in the Dilboy VFW parking lot on May 12, 2013 from 10:00AM-3:00PM.

Mr. Pilotte stated this event is an after party for a road race.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to approve the Special Alcohol License.

St. Anthony's Parish, 12 Properzi Way requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for a Mother's Day Feast on May 11, 2013 from 8:00PM-12:00AM. (No Show continued until next months hearing).

St. Anthony's Parish, 12 Properzi Way requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for a Private Party on May 18, 2013 from 5:30PM-11:30PM. (No Show continued until next months hearing).

St. Anthony's Parish, 12 Properzi Way requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for St. John's Feast on June 22, 2013 from 5:00PM-12:00AM. (No Show continued until next months hearing).

**All Forms Alcoholic Beverages
7 Day Restaurant**

Change of Manager

**Fakhouri Inc.
d/b/a Soundbites
704-706 Broadway**

Present: Attorney William Goldberg

Atty. Goldberg, representing Soundbites came before the Commission requesting approval for a change of manager from Roberta Jo Evangelista to Greg Beadle. Mr. Beadle has experience with service of alcohol.

On a motion duly made and seconded, it was

VOTED: to approve the change of manager.

Wine and Malt Package Store License

**Transfer of License
& Change of Location**

(Continued from February 20, 2013 Hearing)

**Foodmaster Super Markets, Inc.
d/b/a Johnnie's Foodmaster Super Market
47-49 Beacon St.**

Present: Attorney Michael Ford & Anastasios Giannopoulos

Atty. Ford, representing McGrath Beer and Wine came before the Commission requesting approval to transfer the Wine and Malt Package Store License of Foodmaster Super Markets, Inc. d/b/a Johnnie's Foodmaster Super Market to McGrath Beer and Wine and for a change of location to 14 McGrath Highway.

Atty. Ford stated that this business would be a separate store within the Shaw's supermarket with a distinct entrance. This establishment would be 950 sq. feet with glass partitions separating it from Shaw's. This store would have its own employees. This store would sell high end Beer and Wine. Shaw's has zero interest in this license.

Atty. Ford feels that there is a need for a Beer & Wine license in this area. This would be a convenience for the customers at Shaw's to be able to do one stop shopping. The store will have a separate surveillance system which the client will operate.

A petition of 3000 signatures in support was submitted for the record.

The applicant has run two other stores and has not had any violations.

Alderman Heuston has been contacted in regards to this transfer and no meetings were set up. A detailed letter was sent to Ald. Heuston from the applicant to answer any questions or concerns the City or neighbors may have.

Chairman Upton stated the e-mails that were sent to the community were not clear on who would be running this business. It appears that the neighborhood responses sent to Alderman Heuston think that Shaw's will be holding this license and a lot of the neighbors are against Shaw's having this license.

Commissioner Vaccaro thought this was a good business plan but wanted to see the layout before he would vote on this.

Chairman Upton asked Atty. Ford if they had met with the neighbors, Atty. Ford answered that his meeting requests have gone unfulfilled.

Chairman Upton recommended that the applicant make contact with Ald. Heuston for a meeting.

Dean Coloritino, Manager of Shaws stated that Shaw's are only allowed a certain number of licenses and they pick and choose the locations within the state. They would rather have a tenant at this location. They have other stores in mind for their store owned licenses.

Alderman Sullivan spoke against this application and submitted an article from University of Minnesota in regards to Package Stores that are too close in proximity that have problems.

Alderman White spoke in opposition to this application and questioned if public need is being served by locating a new license across the Street from an existing license.

Six people spoke in support of this application.

Ben Weiner business owner of Sav-mor Liquors spoke in opposition of this application. He presented 500 signatures against this transfer for the record. Mr. Weiner feels this could affect other businesses and questioned the business having one entrance & exit in regards to the fire law and also deliveries coming through the store.

Atty. Ford felt that they were taking a license and moving into a better location. This would be a fine wine and beer store. This is a separate distinct store not Shaw's. Atty. Ford stated that hearing that this is business competition should not be a factor to deny a license. These stores will be separated by a multi lane highway and not serving the same need.

Commissioner Vaccaro made a motion to continue this meeting.

Chairman Upton stated he was inclined to second the motion and stated that maybe a compromise could be reached for reduced hours and suggested that the applicant should reach out to the elected officials and the neighborhood.

Chairman Upton recommended that they make contact with Ald. Heuston for a meeting.

On a motion duly made and seconded, it was

VOTED: To Continue this matter until the April 22, 2013 Hearing.

There being no further business, the meeting was adjourned.

Respectfully

Jenneen M. Pagliaro
Executive Secretary