

**City of Somerville
Licensing Commission**

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

**Regular Meeting
Monday
April 23, 2012
6:00 p.m.**

Chairman Upton called the meeting to order. Present were Commissioners Vito Vaccaro, John J. McKenna, Inspector Warren Chaille & Executive Secretary Jenneen M. Pagliaro.

Minutes of the February 22, 2012 & March 19, 2012 meetings were accepted as submitted.

COMMUNICATIONS

Brunello Bistro, 349 Broadway notifying the Commission that the establishment will be closed for vacation/installation of some new equipment for approximately four weeks. The Board took Administrative Notice and placed the communication on file.

Massachusetts State Lottery Commission re: Keno-To-Go.
The Board took Administrative Notice and placed the communication on file.

Alcoholic Beverages Control Commission notice of suspension-Pavan Restaurant Group, Inc. d/b/a Diva, 246-248 Elm St. The Board took Administrative Notice and placed the communication on file.

RULES

THIS MATTER WAS TABLED AT THE MARCH 19, 2012 HEARING.

Consideration for a proposed amendment to Somerville Licensing Commission Rules and Regulations relative to Prohibition of the announcement of "Last Call". A motion was made to continue this item until next meeting.

STATUS UPDATE
CONTINUED FROM JANUARY 18, 2012 HEARING

PLPB DDBG LLC d/b/a Deco Restaurant
425 Washington St

Present: Richard DiGirolamo

Atty. DiGirolamo, representing Deco Restaurant came before the Commission to give a status update on the opening of establishment.

Atty. DiGirolamo stated that the establishment needs to install a sprinkler system and are having trouble finding a contractor. The establishment hopes to be open in July. Atty. DiGirolamo made a request to come back in 90 days for another update.

Commissioner McKenna feels that it is ridiculous that this place is taking too long to open.

Chairman Upton motioned for the licensee to appear back before the Commission in 30 days with a copy of sprinkler fitters agreement, a time line and cost of the project.

Motion was seconded,

This matter to be continued until the next meeting.

COMMON VICTUALER LICENSES

O's Nuts LLC
349 Highland Ave.

Present: Brian K. Quinn

Mr. Quinn came before the Commission requesting approval of a Common Victualer license for 349 Highland Ave.

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.

Royal Punjab Enterprises, Inc.
d/b/a Pizza Palace
222 Somerville Ave.

Present: Attorney William Goldberg

Atty. Goldberg, representing Pizza Palace came before the Commission requesting approval of a Common Victualer license for 222 Somerville Ave.

The new owner 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.

Oliveira's Steak House
120 Washington St.

Present: Edilson Oliveira

Mr. Oliveira came before the Commission requesting approval of a Common Victualer license for 222 Somerville Ave.

Mr. Oliveira 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

St. Anthony's Parish
12 Properzi Way

Present: Maridien Da Costa

Ms. Da Costa came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Dinner Dance on April 28, 2012 from 7:00PM-12:00AM at St. Anthony's School Gymnasium.

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 grant the Special Alcohol license as presented.

St. Anthony's Parish
12 Properzi Way

Present: Maridien Da Costa

Ms. Da Costa came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Birthday Party on May 5, 2012 from 7:00PM-12:00AM at St. Anthony's School Gymnasium.

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 grant the Special Alcohol license as presented.

St. Anthony's Parish
12 Properzi Way

Present: Maridien Da Costa

Ms. Da Costa came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Mother's Day Feast on May 12, 2012 from 8:00PM-12:00AM at St. Anthony's School Gymnasium.

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 grant the Special Alcohol license as presented.

St. Anthony's Parish
12 Properzi Way

Present: Maridien Da Costa

Ms. Da Costa came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Birthday Party on May 19, 2012 from 6:00PM-12:00AM at St. Anthony's School Gymnasium.

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 grant the Special Alcohol license as presented.

St. Anthony's Parish
12 Properzi Way

Present: Maridien Da Costa

Ms. Da Costa came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for St. John's Feast on June 23, 2012 from 7:00PM-12:00AM at St. Anthony's School Yard.

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 grant the Special Alcohol license as presented.

St Ann's Parish
50 Thurston St.

Present: Peter Regan

Mr. Regan came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Quiz Night Trivia on April 28, 2012 from 7:00PM-11:00PM.

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 grant the Special Alcohol license as presented.

Hellenic Association of Somerville
d/b/a Dormition of the Virgin Mary Greek Orthodox Church
29 Central St.

Present: Phillip Dres

Mr. Dress came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Hall Fundraiser on May 5, 2012 from 4:00PM-12:00AM.

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 grant the Special Alcohol license as presented.

Cantina La Mexicana
247 Washington St.

Present: Robert Rendon

Mr. Rendon came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Cinco de Mayo to be held outdoors in the Parking Lot on May 5, 2012 from 3:00PM to 9:30PM.

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 grant the Special Alcohol license as presented.

Prospect Hill Properties, Inc.
d/b/a The Independent

Present: Ken Kelly

Mr. Kelly came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Cinco de Mayo to be held outdoors in the Parking Lot on May 5, 2012 from 3:00PM to 9:30PM.

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 grant the Special Alcohol license as presented.

Jimmy Fund DFCI
d/b/a M.O.M's Run 5K for Cancer

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 gathering to be held in Parking lot behind the Burren on May 13, 2012 from 11:00AM-3:00PM.

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 grant the Special Alcohol license as presented.

Redbones Barbecue
55 Chester St.

Present: Robert Gregory

Mr. Gregory came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Annual Bike to Work Week Party to be held outdoors at Chester St. to Herbert St. Intersection on June 4, 2012 from 5:00PM-10:00PM. (rain date June 11, 2012)

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 grant the Special Alcohol license as presented.

Trustees of Tufts College
Tufts Catering

Present: Patti Klos

Ms. Klos came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Alumni Relations-Class of 1972 Reunion Reception to be held at Remis Sculpture Court, 15 Lower Campus Rd. on May 19, 2012 from 6:30PM-7:30PM.

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 grant the Special Alcohol license as presented.

Trustees of Tufts College
Tufts Catering

Present: Patti Klos

Ms. Klos came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Conference Bureau-Medford Rotary Club Dinner to be held at Alumnae Lounge, 40 Talbot Ave. on June 16, 2012 from 6:30PM-9:30PM.

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 grant the Special Alcohol license as presented.

Trustees of Tufts College
Tufts Catering

Present: Patti Klos

Ms. Klos came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for The Fletcher School BBQ to be held at Fletcher Field, Professor's Row on May 18, 2012 from 7:00PM-9:45PM.

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 grant the Special Alcohol license as presented.

FARMER WINERY LICENSES

Still River Winery

Present: Margot Holtzman

Ms. Holtzman came before the Commission requesting approval a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption for The Hyper-Local Craft Brew Tasting of Wine, Beer, Mead and Cider Event to be held at The Armory, 191 Highland Ave. on June 16, 2012 from 3:00PM-10:00PM.

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 grant the Farmer Winery License as presented.

Zoll Brothers Private Cellars, LLC

Present: Frank Zoll

Mr. Zoll came before the Commission requesting approval a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption for The Hyper-Local Craft Brew Tasting of Wine, Beer, Mead and Cider Event to be held at The Armory, 191 Highland Ave. on June 16, 2012 from 3:00PM-10:00PM.

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 grant the Farmer Winery License as presented.

**WINE AND MALT RESTAURANT
CORDIALS AND LIQUEURS**

**Alfresco Restorante
382 Highland Ave.**

Present: Ann Vigorito

Atty. Vigorito, representing Alfresco Restorante, 382 Highland Ave. came before the Commission requesting approval for Alfresco Restorante to serve cordials and liqueurs.

Ms. Vigorito stated that cordials and liqueurs would help the business compete with the other restaurants in the area that have full liquor licenses.

On a motion duly made and seconded, it was

VOTED: to grant the request for cordials and liqueurs.

ALL FORMS ALCOHOLIC BEVERAGES
7 DAY RESTAURANT

2AM LICENSE

The Rosebud,
381 Summer St.

Present: William Nichols

Mr. Nichols came before the Commission requesting approval to extend its official closing hour from 1AM to 2AM on the weekends at The Rosebud, 381 Summer St.

Mr. Nichols stated that he had spoken with the neighbors and they had no problem with this request. They would have two door men and a crowd manager on duty.

A motion was made to approve this application contingent to the applicant getting a note from Alderman Rebecca Gerwitz stating she doesn't have a problem with this establishment having a 2AM license.

On a motion duly made and seconded, it was

VOTED: to grant the 2AM License contingent upon Ald. Gerwitz approval.

Commissioner Vaccaro Voted NO

TRANSFER OF LICENSE
CHANGE OF LOCATION
COMMON VIC & ENT LICENSE

AnnexTW, Inc.
d/b/a Bronwyn

Present: Attorney Richard Perlmutter

Atty. Perlmutter, representing Annex TW, Inc., d/b/a Bronwyn came before the Commission requesting 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 requesting approval for a change of

location to 235 Washington St., a New Common Victualer License and an Entertainment License for entertainment consisting of entertainment by performers and devices. (A previous approved transfer of this license was withdrawn at the ABCC).

This location was formerly Ronnarong. Ronnarong held a City Owned Wine and Malt License and has turned the license back to the City

Brownwyn is purchasing this All-Forms of Alcohol license from New Asia for this location.

The owners have restaurant experience.

Two people spoke in favor of this application.

No one spoke in opposition.

On a motion duly made and seconded, it was

VOTED: to approve the transfer and Change of location of the All Forms 7 Day Restaurant License, Common Victualer License and Entertainment License as presented.

CONTINUED FROM MARCH 19, 2012

PLEDGE OF LICENSE

Demeter Hospitality, LLC d/b/a Daddy Jones
525 Medford St.

Present: Attorney Richard DiGirolamo

Atty. DiGirolamo, representing Daddy Jones came before the Commission requesting approval for a Pledge of License to East Cambridge Savings Bank.

This license was approved at a previous Licensing Commission Hearing and the bank is now requesting a pledge of the license.

On a motion duly made and seconded, it was

VOTED: to approve the Pledge of License.

CONTINUED FROM MARCH 19, 2012

TRANSFER OF LICENSE

CHANGE OF LOCATION

COMMON VIC & ENT. LICENSE

BBQ LLC d/b/a East End Grill
118-120 Broadway.

Present: Attorney Ann Vigorito

Atty. Vigorito, representing East End Grill came before the Commission requesting a transfer of the All Forms Alcoholic Beverages 7 Day Restaurant License from New Asia Restaurant to Broadway BBQ LLC d/b/a East End Grill, a change of location, a Common Victualer license and Entertainment consisting of Entertainment by Performers, Patrons and Devices to be situated at 118-120 Broadway.

The Owners have restaurant experience.

This location is the old Khoury's State Spa.

A neighborhood meeting was held and 70 people attended.

The Chamber of Commerce is in support.

East Somerville Mains Streets are in support.

On a motion duly made and seconded, it was

VOTED: to approve the transfer of the All Forms Alcoholic Beverages 7 Day Restaurant License, Change of Location, Common Victualer license and Entertainment License.

CONTINUED FROM MARCH 19, 2012
ENTERTAINMENT LICENSE

George Dilboy Post 529
VFW, 371 Summer St.

Present: Attorney Richard DiGirolamo

Atty. DiGirolamo came before the Commission requesting approval for an Entertainment License at the new location 343-349, 351 Summer St. Entertainment License consisting of Entertainment by Performers, Patrons and Devices. Attorney Richard DiGirolamo requested this matter be continued to the April 23, 2012 hearing.

Atty. DiGirolamo stated the ZBA granted a Special Permit in December 2011 an appeal is pending of the ZBA decision.

The Current Post has a COA from the City and is still closed. The Post needs the ABCC approval to re-open.

Atty. DiGirolamo stated they need the approval of the Entertainment license to complete the deal.

The Board is in receipt of a letter from Mr. Robinson and Mr. O'Shea.

The Board has been informed by the City Solicitor that a decision of this Board is not appealed to this Board. They should make appeals to the ABCC.

A couple of neighbor voiced concerns and some were opposed to this License.

Atty, DiGirolamo stated that the Dilboy Post serves a need in the Community and host a lot of charity events.

Commissioner Vaccaro made a request to hold this matter over for 3 months.

Commissioner McKenna stated he wanted to vote tonight and made a motion to approve.

Chairman Upton seconded the motion

On a motion duly made and seconded, it was

VOTED: to approve the Entertainment License

Commissioner Vaccaro Voted NO

WINE AND MALT LICENSES
TWO NON-TRANSFERRABLE LICENSE AVAILABLE

Yusel-Berti, Inc.
d/b/a Istanbul Lu
237 Holland St.

Present: Attorney William Goldberg

Atty. Goldberg representing Istanbul Lu, came before the Commission requesting approval for a Wine and Malt Restaurant License.

This establishment has been before the Board for an All Forms License a couple of other times without success. They were not eligible to apply for a Wine and Malt license because of the seating amount requirements. They are here today because the rules have changed on the required amount of minimum seating and they do now qualify.

This is the only Turkish Restaurant in the City.

The Chamber of Commerce is in support.

OSPCD recommends approval of this application.

On a motion duly made and seconded, it was

VOTED: To grant the Wine and Malt Restaurant License.

Aguacate Verde
13 Elm St.

Present: Sylvia DeLasota

Ms. DeLasota came before the Commission requesting approval for a Wine and Malt Restaurant License.

This is the second time Ms. DeLasota has applied for a Wine and Malt license.

The business offers fresh & healthy meals and has partnered with Shape Up Somerville.

This license would increase foot traffic.

A signed petition of 50 people in support was submitted for the record.

Four neighbors spoke in support of this application.

Alderman O'Donovan in support.

OSPCD did not recommend this license be approved.

The applicant made a request to WITHDRAW this application

On a motion duly made and seconded, it was

VOTED: To Withdraw The Wine and Malt Restaurant application.

Ebi Sushi Bar
290 Somerville Ave.

Present: Attorney Jared Chrislip

Atty. Chrislip representing, EBI Sushi Bar came before the Commission requesting approval for a Wine and Malt Restaurant License.

This location was previously licensed for Wine and Malt.

A petition with 400 signatures in support was submitted for the record.

Ten hands went up in support and 7 people spoke in support of this application.

Mimi Graney of Union Square Main Streets spoke in support of this application.

The Chamber of Commerce in support.

OSPCD recommends approval of this application.

On a motion duly made and seconded, it was

VOTED: To grant the Wine and Malt Restaurant License.

Yoshi's Japanese Korean Cuisine
132 College Ave.

Present: Attorney Neil Berman

Atty. Berman, representing Yoshi's came before the Commission requesting approval for a Wine and Malt Restaurant License.

The establishment is located near Davis Sq. Yoshi's feels they need a license to compete with the other business in the area that serve alcohol. They are committed to Somerville with or without the liquor license.

Atty. Berman stated he spoke with Ald Gerwartz and that she is in support.

OSPCD did not recommend this license be approved.

The applicant made a request to WITHDRAW this application

On a motion duly made and seconded, it was

VOTED: To Withdraw The Wine and Malt Restaurant application.

Bearface Food, LLC.
d./b/a The Bearded Pig
445 Somerville Ave.

Present: Michael Schmidt

Mr. Schmidt came before the Commission requesting approval for a Wine and Malt Restaurant License **ALSO**, a New Common Victualer License and an Entertainment License consisting of Entertainment by devices.

This will be a new BBQ restaurant.

Mimi Graney of Union Square Main Streets spoke in support of this application.

Two people spoke in support of this license.

OSPCD did not recommend this license be approved.

The applicant made a request to WITHDRAW this application for The Wine and Malt license.

On a motion duly made and seconded, it was

VOTED: To Withdraw The Wine and Malt Restaurant application
and To grant the New Common Victualer and Entertainment License.

There being no further business, the meeting was adjourned.

Respectfully submitted
Jenneen M. Pagliaro
Executive Secretary