

**City of Somerville  
Licensing Commission**

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

**Regular Meeting  
Monday  
July 18, 2011  
6:00 p.m.**

**MINUTES**

Chairman Andrew Upton called the meeting to order. Present were Commissioners Vito Vaccaro, John J. McKenna, Inspector Joseph McCain and Administrative Assistant Jenneen M. Pagliaro.

Minutes of the June 20, 2011 meeting were accepted as submitted.

**SPECIAL ALCOHOL LICENSES**

**Galwegan, Inc.  
d/b/a The Burren**

Present: Dessy Rushe

Mr. Rushe came before the Commission requesting approval of Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Music Festival to be held in Grove St. Parking lot behind The Burren on August 28, 2011 from 12PM-8PM.

Experienced servers will be dispensing the alcoholic beverages.

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.

**COMMON VICTUALER LICENSES**

**Yoshi's Japanese, Korean Cuisine  
132 College Ave.**

Present: Andrea Kor & Qing Xiong Pang

Ms. Kor, representing Yoshi's Japanese, Korean Cuisine, came before the Commission requesting approval of a Common Victualer license at 132 College Ave.

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

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented

**ALL FORMS ALCOHOLIC BEVERAGES**  
**7 DAY RESTAURANTS**

**Pledge of License**

**SDH Associates Corp.**  
**d/b/a Five Horses Tavern**  
**400 Highland Ave.**

Present: Attorney Ann Vigorito & Dylan Welsh

Atty. Vigorito, representing Five Horses Tavern came before the Commission requesting approval to Pledge the All Forms Alcoholic Beverages 7 Day License to Martin Murphy.

Atty. Vigorito stated this would be a short term loan.

The restaurant should be open the end of the summer or early fall.

On a motion duly made and seconded, it was

VOTED: to approve the pledge of license.

**Transfer of License**  
**Pledge of License**

**Seven Hills Wine and Spirits, Inc.**  
**288 Beacon St.**

Present: Attorney Neil Berman

Atty. Berman came before the Commission requesting to transfer the All Forms Alcohol Package Store license to Prashant LLC d/b/a Seven Hill Wine and Spirits and for a pledge of license.

Atty. Berman stated the same family has owned this business for 30 years and are retiring.

The business will operate the same hours and keep the same setup.

On a motion duly made and seconded, it was

VOTED: to approve the Transfer of License and the pledge of license.

**Change of Directors**  
**Transfer of Stock**  
**New Manager**

**Portuguese American Lounge, Inc.**  
**d/b/a Papas Sports Lounge and Restaurant**  
**345 Somerville Ave.**

Present: Antonino Amaral

Mr. Amaral came before the Commission requesting approval to transfer 100 shares of stock held by Antonino D. Amaral equally to Gerald C. Amaral, Antonino D. Amaral, Jr. & Ann-Marie Baros to appoint new directors and to change the manager from Antonino D. Amaral to Gerald C. Amaral.

Mr. Amaral has owned the business for 39 years and wants to retire and give the business to his children.

Mr. Amaral's son will be the new manager and he has worked with his father for years.

On a motion duly made and seconded, it was

VOTED: to approve the Change of Directors, Transfer of Stock and the New Manager.

**Club License**  
**Change of Location**  
**Entertainment License**

**George Dilboy Post 529, Inc.**  
**VFW, 371 Summer St.**

Present: Attorney Richard DiGirolamo

George Dilboy Post 529, Inc., VFW came before the Commission requesting 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.

The transfer was originally approved at the May 16, 2011 meeting. Several of the abutters filed complaints in regards to lack of abutters notices and the complaint and were then

heard at the June 20, 2011 hearing. The Commission voted to revoke the transfer of location without prejudice to the applicant. The applicant was told they would be allowed to re-file the application.

Atty. DiGirolamo stated he is back before the Commission to file the application for the change of location for the George Dilboy Post 529, Inc., VFW.

343 Summer St. is owned by Dakota Properties a small part of the Dilboy Post will be on 343 Summer and the rest of the building will be located at 349-351 Summer. St. A two story building approx. 8400 sq. feet with 67 parking spaces. A residential building for 31 residential units with underground parking.

This Organization was chartered around 1920 and been at present location since 1941 with no issues.

Atty. DiGirolamo spoke about mediation with the neighbors and Ald. Gerwitz.

This Organization sponsors many community events.

Atty. DiGirolamo spoke of the proposed conditions. And stated that The Zoning Board hearing will be held in August in regards to this development.

Atty. DiGirolamo stated that if this doesn't get the Zoning Board approval this locations transfer, ifs approved by the Licensing Commission will become void.

Atty. Dash is no longer involved with the neighborhood group he is representing the Winterhill Bank.

Commissioner Vaccaro questioned why this matter is taking so long to go before the Board of Appeals.

Atty. DiGirolamo stated that in the mist of the Board of Appeals hearing an Environmental report came about that was not presented as part of the application, A number of abutters felt that was an important part of the application. The application was withdrawn and had to be re-filed.

Atty. DiGirolamo stated that all contractual obligations between the parties have to be met in a timely manner in order to go forward and get financing.

Commissioner Vaccaro is concerned about approving a license that has not been approved by the Board of Appeals.

Atty. DiGirolamo stated Current plans have changed due to the mediation and meetings with neighbors.

The back lot line was discussed.

Chairman Upton stated we are here tonight because questions were raised on accuracy of abutter's notices at the last meeting and the applicant agreed to start the process over. This is a new hearing and the public should not refer to the past meetings. This is a Renovo hearing.

A question was raised regarding the letters of opposition etc. from the last hearing and if they would apply tonight.

Chairman Upton stated Board could take administrative notice of the contents of file. Commissioner McKenna stated that this is a new hearing and would be better to use everything new again. The Board will touch on this again at the end of the hearing.

A letter in opposition from a neighbor was submitted for the record.

The people in support were invited to speak.

A number of people spoke in Support of this application

A number of people spoke in opposition of this application.

The workers Compensation issue was raised.

Atty. DiGirolamo stated they would not get worker's compensation on a empty lot.

A Question was raised as to why some of the attachments are missing from the application and why this new application doesn't contain the new set of plans.

The Entertainment license was opposed by some of the neighbors.

Atty. DiGirolamo stated this would be the same Entertainment that they currently have been doing. However they never had a license and our not sure why. This was never in question.

The neighbors feel that the Club is not just renting to members only.

However no complaints have ever been filed.

The neighbors felt the mediation was not successful.

A request was made to leave the record open to allow adequate review by the neighbors that were submitted this afternoon and to allow people to submit written comments for the record.

The Certificate of good standing was signed for the current address.

Atty. DiGirolamo stated he got a new one at 4:30 today for the new address and submitted it for the record tonight.

The Real estate agreement is still in effect until July, However the extension is not included in this application.

The extension will be submitted to the Licensing Commission before the next meeting.

The plans being shown are not the current plans.

Chairman Upton motioned to continue hearing till next month and leave the record open for any documentation.

Also supply the new plans for the meeting.

A request was made for Assistant City Solicitor Jason Grossfield to appear at the next hearing.

Motions Seconded:

This matter to be continued until August 15, 2011 hearing.

There being no further business, the meeting was adjourned.

Respectfully

Jenneen M. Pagliaro  
Administrative Assistant