

**NOTICE: This is NOT the official version of the Committee Report as APPROVED by the Board of Aldermen. While reasonable efforts have been made to assure that this is the Committee Report that was presented at a meeting of the Board of Aldermen, you should check the Minutes of that meeting in order to confirm its approval, rejection or amendment. Do not rely on the accuracy of this information without first checking with the City Clerk.**

May 6, 2008

**REPORT OF THE COMMITTEE**  
**ON LICENSES AND PERMITS**

The Committee on Licenses and Permits convened on May 6, 2008, with Chairman Bruce Desmond presiding and Committee Members Aldermen Maryann Heuston and Robert Trane also present and voting.

A public hearing was held on the Petition for Extended Retail Hours for Burger King Inc., 185 Somerville Avenue, Somerville, which seeks to operate its Drive Through Window 24 hours per day, 7 days per week.

Manager Dino Lopes spoke in favor of the petition and told the members that Burger King took over the restaurant from the former owner in 2000. Mr. Lopes said that Burger King is involved in the community and sponsors softball teams, hires Somerville High School students and tries to be a good neighbor. He said that the extended hours are being sought to keep the restaurant competitive with McDonalds in the Twin City Plaza.

Francis McDonald, Pat McDonald, Irene Lister and John Eleftherakis spoke against the petition citing the following concerns:

- Neighboring streets, especially Mansfield Street, are dirty with litter from customers,
- Customers congregate and loiter in the parking lot disturbing neighbors,
- There are problems with rodents, pigeons and seagulls,
- Possible illegal drug activity in the parking lot and
- Increased noise from additional traffic.

The public hearing was closed.

Alderman Heuston stated that she asked the City Clerk to research Burger King's hours of operation and that no paperwork could be found in support of their remaining open until 3:00 AM. Alderman Heuston concluded that Burger King has been enjoying extended hours of operation over the years without having

the necessary permit. In light of the neighbor's concerns, Alderman Heuston wants Burger King to bait the area, install another fence to dampen the noise and to eliminate the exit onto Mansfield Street.

Alderman Trane's motion *that Burger King's hours of operation cease at midnight each night*, was approved.

Chairman Desmond's motion *that the City Clerk send a communication to the Chief of Police notifying him of Burger King's new hours of operation, not to exceed midnight, Monday through Sunday*, was approved.

Alderman Heuston's motion *that the Chief of Police order a directed patrol to check for unregistered vehicles in the Burger King parking lot*, was approved.

The committee discussed matters before it and took action on the following item:

**185542:** New Extended Hours License - Burger King Corp., 185 Somerville Ave., 24 /7 Drive Thru.

**RECOMMENDATION:** Should not be approved

**VOTE:** Unanimous, 3 - 0 in favor

---

Alderman Bruce M. Desmond, Chairman  
Committee on Licenses and Permits

**COMMITTEE REPORT**

Report of the Committee on Licenses and Permits,  
May 6, 2008

In Board of Aldermen

---

---

---

---

---

Clerk