

**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.**

September 26, 2007

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

The Committee on Licenses and Permits convened on September 26, 2007, with Chairman Bruce Desmond presiding and Committee Members Aldermen Maryann Heuston and Robert Trane also present and voting. Also present were Alderman Sean O'Donovan and William Roche as well as Paul Nonni from Inspectional Services, Bill Zamparelli and William Harris from NSTAR, Attorney Richard DiGirolamo, representatives from ATO Associates and interested members of the public.

**Public Hearing: Pearl Street Auto Sales, 56 Bonair St., Garage License**

Attorney DiGirolamo asked that the matter be held in committee for the time being. Chairman Desmond said that the committee would receive testimony but would postpone rendering a decision on the matter. Alderman Roche informed the members that the business has moved into the location and is operating without a permit. He said that he has received numerous calls from neighbors who are against issuing the permit and also stated that he disagrees with the use of the building, since it hasn't been used for 2 years. Mr. Steve Matarano told the members that the owner is using the garage to wash cars and perform other work without a permit. Attorney DiGirolamo stated that the owner's scale of operation is to detail 2-3 vehicles per day, for dealers only, not for the general public. Alderman Roche said, that because of errors on the application, it will need to be corrected and re-submitted. In the meantime, Alderman Roche will hold a neighborhood meeting to attempt to work out a plan that would accommodate all parties involved. A copy of a 1988 decision by the Board of Appeals was introduced and Alderman Trane made a motion **that the City Solicitor research the June 10, 1988 decision by the Board of Appeals, (#1988-31), regarding the property at 56 Bonair Street, and report back to the Committee on Licenses and Permits and to the attorney representing the applicant, (Pearl Street Auto Sales), with an opinion regarding the legality of the decision.** The motion was approved.

Chairman Desmond continued the hearing until the Solicitor renders the requested opinion and until Alderman Roche's neighborhood meeting on the matter is held.

**NSTAR: Tree trimming**

Mr. Harris told the members that locations for tree trimming are called in to the DPW on a daily basis and that approximately 75% of the trees on Hudson and Albion Streets have already been taken care of. As to the problems experienced, Mr. Harris said that he would visit the property owners involved and that the tree

trimming crews have been informed to stop the work if a resident becomes upset. Mr. Harris said that he did look at the trees on Hudson Street and, in his opinion, there wasn't a major problem with them.

Alderman Trane's motion that Mr. Harris meet with the Ward 5 Alderman to visit property on Albion Street and to speak to the residents regarding the problems experienced with the pruning of trees, was approved.

Alderman Heuston's motion that the City's Tree Warden notify the Communication Department of tree trimming to be performed AND BE IT FURTHER ORDERED That the Director of Communication utilize the Connect CTY system to notify residents in the area of the work to be performed and include the Ward Alderman in the notification list, was approved.

### **Prospect Iron and Steel**

The committee is waiting for clarification of the legal address of the property and what types of work may be performed at the facility. Additionally, the committee requested that the Legal Department inform the committee of any past legal decisions involving the property. Alderman Heuston asked that the zoning issues be clarified, as well. Attorney DiGirolamo told the members that there has been banging in the building but that his clients are working on a remedy to the problem. Additionally, Attorney DiGirolamo said that his client would like to operate on Saturdays.

### **ATO - Tufts**

Alderman Trane reported that he has received complaints from neighbors regarding the behavior of the residents of property operated by ATO. Representatives from ATO told the members that they have not received any formal complaints from either the Somerville or Tufts Police. Chairman Desmond made it clear that ATO is not in good standing with the city and he is concerned by the lack of remorse from the fraternity members residing at the property.

Alderman Heuston's motion that the Director of Strategic Planning and Community Development, along with the Chief Fire Engineer, notify the occupants of the property at 134 Professors Row that the fire escape is to be used for emergency purposes only, and that it is not to be used as a deck for parties, was approved. Alderman Heuston also said that Tufts needs to keep their community clean and that ATO needs to post signs on the fire escape notifying occupants that it is to be used for emergency purposes, only.

Alderman Trane said that he has notified Barbara Rubel at Tufts of the problem and he also said that police in an unmarked car would patrol the area and that anyone found to be breaking the law would be arrested, in keeping with the city's zero tolerance policy.

Mr. Nonni suggested that ATO require all house members to sign a document notifying them that notice is hereby served that the fire escape is to be used in an emergency, only

The committee discussed matters before it and took action on the following 20 items:

**183114:** New Garage License - Neeka 2 Inc. dba Auto Palace, 463 McGrath Hwy., 5 autos, M-F 8-8, Sat 10-7, Sun closed.

**RECOMMENDATION:** Should be Approved

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

**183242:** Renewal of Junk Dealer License - Prospect Iron & Steel, 40 Bennett St.

**RECOMMENDATION:** Should be Approved with conditions (temporary 60 day license)

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

**183930:** New Outdoor Seating License - Square Beverages, 30 Broadway, sidewalk

**RECOMMENDATION:** Should be Approved

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

**184117:** Renewal of Garage License (2006) - Gasper Ostuni, 195 Highland Ave., 12

**RECOMMENDATION:** Should be Approved

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

**184119:** Renewal of Garage License - Inner Belt Industrial Center Realty Trust, 21  
Third Ave., 76 autos.

**RECOMMENDATION:** Should be Approved

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

**184120:** Renewal of Garage License - Auto Express, 712 Mystic Ave., 3 autos inside  
and 7 outside.

**RECOMMENDATION:** Should be Approved

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

**184121:** Renewal of Garage License - Boston Best Cars Auto Sales Inc., 266 Beacon  
St., 4 autos.

**RECOMMENDATION:** Should be Approved

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

**184122:** Renewal of Garage License - Plug 'N' Spanner Garage, 4 Union Sq., 8 autos.

**RECOMMENDATION:** Should be Approved

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

**184123:** Renewal of Garage License - County Auto Repair Inc., 103 Washington St., 4  
autos.

**RECOMMENDATION:** Should be Approved

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

**184124:** Renewal of Garage License - General Glass & Mirror Corp., 231 Lowell St.,  
10 autos.

**RECOMMENDATION:** Should be Approved

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

**184126:** Renewal of Flammable License - General Glass & Mirror Corp., 231 Lowell St., 1,000 gallons.

**RECOMMENDATION:** Should be Approved

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

**184127:** Renewal of Flammable License - Pearl St. Auto Sales, 182 Pearl St., 17,000 gallons.

**RECOMMENDATION:** Should be Approved

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

**184128:** New Outdoor Seating License - Cibobella Inc. dba SAGRA, 400 Highland Ave., Sidewalk sign, 6 tables and 12 chairs.

**RECOMMENDATION:** Should be Approved

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

**184129:** New Outdoor Seating License - Union Square Acupuncture, 21 Bow St., 1 Sandwich Board.

**RECOMMENDATION:** Should be Approved

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

**184130:** New Outdoor Seating License - Taipei Tokyo Café, 7 Holland St., 3 tables & 6 chairs.

**RECOMMENDATION:** Should be Approved

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

**184131:** New Sign/Awning Permit - Robert Rainer, 1 Summer St. Suite One, Sign.

**RECOMMENDATION:** Should be Approved

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

**184132:** New Sign/Awning Permit - Chipotle Mexican Grill of Colorado LLC dba Chipotle, 270-276 Elm St., Sign.

**RECOMMENDATION:** Should be Approved

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

**184133:** New Sign/Awning Permit - Priority Mortgage and R.E., 205 Washington St., Sign.

**RECOMMENDATION:** Should be Approved

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

**184135:** Renewal of Lodging House License - Tufts Chapter Delta Upsilon, 114 Professors Row.

**RECOMMENDATION:** Should be Approved

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

**184136:** Renewal of Lodging House License - ATO Associates Inc., 134 Professors

**RECOMMENDATION:** Should be Approved with conditions (license granted for 60 days, fire escape not to be used for parties or sunbathing, dumpster to be relocated and/or a screen to be placed on it to keep it clean)

**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,  
September 26, 2007

In Board of Aldermen

---

---

---

---

---

Clerk