

**City of Somerville
Licensing Commission**

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

**Regular Meeting
Monday
August 16, 2010
6:00 p.m.**

MINUTES

Minutes of the June 21, & July 27, 2010 meetings were accepted as submitted.

COMMUNICATION

Communication from Brian Courtney of O'Brien's Liquors, notifying The Board of the temporary closing of the store at 158 Highland Ave. The Board took administrative notice and placed this item on file.

STATUS UPDATE

Present: Nancy Maulinari

Razzy's, 585 Somerville Ave., regarding the status of the All Forms Alcoholic Beverages 7-Day Restaurant license. Ms. Maulinari stated the establishment has been closed for two months. The lease is not being renewed. Ms. Maulinari is actively looking to relocate or sell the license.

A motion was made and seconded to continue this matter until the November meeting for an updated status report.

SPECIAL ALCOHOL LICENSES

**Prospect Hill Properties, Inc.
d/b/a The Independent
75 Union Sq.**

Present: Kenneth Kelly

Mr. Kelly Came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for the Fluff Festival to be

held outdoors in the parking lot on Sept. 25, 2010 from 3PM-9PM (rain date Sept. 26, 2010).

Experienced servers will be dispensing the alcoholic beverages, Police and Fire Details have been requested.

Alderman Taylor spoke in support of this application.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

Galwegan, Inc., d/b/a The Burren
247 Elm St.

Present: Desmond Rushe

Mr. Rushe came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages for an Outdoor Music Festival to be held in the Grove St. parking lot on Sept. 12, 2010 from 12PM-9PM.

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.

Redbones Barbecue
55 Chester St.

Present: Ray Zonghetti, Chamber of Commerce

The following five establishments came before the Commission requesting approval of Special Alcohol licenses for the purpose of dispensing and selling alcoholic beverages for an Oktoberfest to be held outdoors in Davis Square on October 3, 2010 from 12Noon to 6PM (rain date Oct. 17, 2010).

Prospect Hill Properties, Inc., d/b/a The Independent, 75 Union Sq.

Rockwell Restaurant Group d/b/a Foundry On Elm, 255 Elm St.

Mikes' Restaurant, 5-9 Davis Sq.

The Burren, 247 Elm St.

Joshua Tree, 256 Elm St.

Diva Indian Bistro, 246-248 Elm St.

Mr. Zonghetti spoke behalf of the applicants. Mr. Zonghetti stated this would be the 2nd year for the Oktoberfest. He stated last year only one restaurant participated. This year they extended the Oktoberfest to more restaurants. The food and alcohol will be outside each individual restaurant and no vehicles will be allowed on the streets.

All of the restaurant will have Experienced servers that will be dispensing the alcoholic beverages, Police and Fire Details have been requested.

Ald. Taylor spoke in support of this event.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol licenses as presented.

COMMON VICTUALER LICENSES

Salvadoran Restaurant **402 Mystic Ave.**

Present: Diana Posada

Ms. Posada came before the Commission requesting approval for change in hours of operation. The Current hours are 10AM-12AM, new hours would be 7AM-9PM.

On a motion duly made and seconded, it was

VOTED: to grant the Change of Hours as requested.

ENTERTAINMENT LICENSES

Amelia's Kitchen, 1137 Broadway requesting approval for an Entertainment license consisting of Audio, Film Projectors & Television. (NO SHOW)

Continued until next meeting.

PACKAGE GOODS STORE

Alteration to Premises

Present: Attorney William Goldberg & Amelia Kalia

Atty. Goldberg came before the Commission on behalf of Neighborhood Liquors, d/b/a Liquor Zone, 163 Washington St. requesting approval to expand to 165 Washington St.

Atty. Goldberg stated that the extension would give the business better storage and would be 2,600 feet total.

Alderman Taylor spoke in support of this application.

Inspector Chaille noted, no problems at that business.

Upon a motion duly made and seconded, it was

VOTED: To allow the extension to the premises.

ALL FORMS ALCOHOLIC BEVERAGES
7 DAY RESTAURANT

Change to d/b/a

Rockwell Restaurant Group, LLC
d/b/a Davis Square Theater, Restaurant & Lounge
255 Elm St.

Present: Kenneth Kelly

Mr. Kelly came before the Commission requesting to add a 2nd d/b/a Foundry on Elm to license.

Upon a motion duly made and seconded, it was

VOTED: To allow the 2nd d/b/a name.

Pledge of License

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

Present: Kenneth Kelly

Mr. Kelly came before the Commission requesting approval for a pledge of license.

Upon a motion duly made and seconded, it was

VOTED: To allow the Pledge of License.

Extension to Premises
Outdoor Service of Alcoholic Beverages

Mirabella Inc., d/b/a Pescatore Ristorante
158 Boston Ave.

Present: Attorney Richard DiGirolamo & Marianne Buonopane

Atty. DiGirolamo, representing Pescatore Ristorante came before the Commission requesting approval for an extension of premises to serve alcoholic beverages at outdoor seating area.

One letter was submitted in support.

John High, next door neighbor spoke in opposition to this application. Mr. High is concerned about noise. Mr. High submitted pictures for the record of how close his yard is to this seating area.

Atty. DiGirolamo stated they will not have music playing outside.

Andrew Shepard & Jack Deidrick, neighbors both spoke in favor.

The Chamber of Commerce spoke in support.

Anne Buonopane, Owner stated that they don't share the fence with Mr. High, they share a brick wall behind them. They are not right beside Mr. High.

Mr. High still feels this is a privacy issue.

On a motion duly made and seconded, it was

VOTED: to approve the extension to premises as submitted.

Commissioner McKenna voted NO

Mariachi Food, Inc.
d/b/a El Potro Mexican Grill
61 Union Sq.

Present: Joe Carreiro

Mr. Carreiro came before the Commission requesting approval for extension of premises to serve alcoholic beverages at outdoor seating area.

Ald. Taylor had concerns with the Board giving out too many of these licenses.

Mr. Carreiro stated he understands Ald. Taylor's concerns and that this will be a small area consisting of 8 seats.

Commission McKenna feels this would be good for business.

Commission Vaccaro went by the establishment and thinks it seems private enough.

The Chamber of Commerce spoke in favor.

Robert Rendon owner of La Mexican Cantina stated that El Potro Customers are coming into his establishment intoxicated.

Upon a motion duly made and seconded, it was

VOTED: to approve the alterations to premises.

Alteration to Premises

Vinny's Restaurant
76 Broadway

Present: Attorney Richard DiGirolamo

Atty. DiGirolamo representing Vinny's Restaurant came before the Commission requesting approval for alteration to the inside of the premises.

The establishment will have a bar area.

The Chamber of Commerce is in support.

On a motion duly made and seconded, it was

VOTED: to approve the alterations to premises.

Transfer of License

Northeast Motel Assoc. LP
d/b/a Holiday Inn of Somerville
30 Washington St.

Present: Joe Ayoub, Jim Harvey & David Samoian

Mr. Ayoub came before the Commission requesting the transfer its All Forms 7 Day Restaurant license to DDH Hotel Somerville LLC for an Inn Holders license, Common Victualer and Entertainment license consisting of Entertainment by Patron, Performers and Devices.

Mr. Ayoub stated that the property was sold in April. This will have the same footprint just different owners. This is a franchise. The name will stay the same as well as the managers.

The Chamber of Commerce is in support.

On a motion duly made and seconded, it was

VOTED: to approve the All Forms 7 Day Restaurant License, Common Victualer License, Inn Holders License & Entertainment License as presented.

Kirkland Café
425 Washington St.

Present: Attorney Nick Iannuzzi

Mr. Iannuzzi came before the Commission, representing Deco Restaurant for approval of the transfer of The Kirkland Cafe All Forms Alcoholic Beverages 7 Day Restaurant license to PLPB DDBG, LLC d/b/a Deco Restaurant also requesting approval for a Common Victualer and Entertainment license consisting of live music, D.J., Comedy, Television & audio.

This establishment will have 113 seats, with live music, DJ and Comedy shows.

Mr. Buben, the new owner has 3 other restaurants.

The restaurant hopes to open in January 2011.

Atty. Iannuzzi stated he spoke with Ald. Heuston and she anticipated no problems with the neighbors.

The Chamber of Commerce spoke 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, Common Victualer and Entertainment license as presented.

STATUS OF OPENING

New Asia Restaurant
324-328 Somerville Ave.

Present: Attorney Richard DiGirolamo & Sally Loh

Atty. DiGirolamo, representing New Asia came before the Commission reporting back as requested at the July 27, 2010 hearing regarding the opening status of the establishment.

The establishment re-opened on August 13, 2010.

This matter to be placed on file.

Change of Location

George Dilboy Post 529 VFW, 371 Summer St. (Attorney Richard DiGirolamo request to hold hearing over until the September meeting).

Late Items

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 a Mexican Independence Day Celebration to be held outdoors in parking lot at 247 Washington St., on Sept. 15, 2010 from 6PM to 10PM.

Experienced servers will be dispensing the alcoholic beverages, Police and Fire Details have been requested.

Alderman Taylor spoke in support of this application.

The Chamber of Commerce is in support.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

There being no further business the meeting was adjourned.

For the Commission

Jenneen M. Pagliaro
Administrative Assistant