



City of Somerville, Massachusetts

City Council Licenses and Permits Committee

Meeting Minutes

Monday, March 6, 2023

6:00 PM

Others present:

Michael Potere – Assistant Clerk of Committees; Bernabe Rodriguez – Assistant City Clerk.

This meeting was held via GoToWebinar and was called to order by Chair Burnley at 6:06 p.m. and adjourned at 7:06 p.m. on a Roll Call Vote: 2 in favor (Councilors Clingan, Burnley), 0 opposed, 1 absent (Councilor Ewen-Campen).

Roll Call

Present: Chairperson Willie Burnley Jr., Vice Chair Jesse Clingan and Ben Ewen-Campen

Public Hearing re: item #23-0032

1. License
(ID # [23-0032](#))

New Used Car Dealer License Class 2, Top Speed Vehicle, 631 Somerville Ave, 8 cars inside, 6 outside, Mon-Fri 8am-6pm, Sat 8am-2pm, Sun Closed.

Assistant City Clerk Bernabe Rodriguez explained that the Clerk's Office received a message earlier in the day from the owner of the property at 631 Somerville Ave that stated that the applicant's lease expired in June 2022, and continued by explaining that that means the business has no operating location, which in turn means that the license cannot be granted.

Adilson Oliveira stated that he is the owner of Top Speed Vehicle and explained that the reason the lease was cancelled was because the building's owner was concerned that they did not have a license, but that they were waiting to obtain the license presently at issue. Chair Burnley asked if Oliveira is behind on the rent, and Oliveira responded that they were. Chair Burnley stated that Oliveira could not operate that business at that location without a license.

Councilor Clingan asked how long Oliveira had operated the business and how long they have been dealing with this particular landlord, and Oliveira said 14 or 15 years and around 2 years. Councilor Clingan asked if Oliveira thought they could work it out with their landlord, and Oliveira said they have been trying to.

Chair Burnley stated to Oliveira that the license will be kept in committee to give Oliveira an opportunity to come back to the committee with a signed lease, which will allow Oliveira to complete the approval process.

RESULT: KEPT IN COMMITTEE

Public Hearing re: item #23-0221

- 2. License (ID # [23-0221](#))

New Extended Operating Hours License, Falafel Place, 1 Main St, opening Mon-Sun until 3am for in-store, take-out, and delivery services.

Ahmed Naguib, the Co-Owner of Falafel Palace explained that their request is intended to bolster business, primarily through what they expect will be increased deliveries via DoorDash and UberEats during the proposed extended hours. Chair Burnley asked how long Falafel Palace has been open and why they requested 3 a.m. as opposed to an earlier time; Naguib responded that they have been open since 2014 and that the proposed time was intended to reflect when people would be returning home from nights out at bars and clubs and be most likely to order delivery.

Councilor Ewen-Campen asked what Falafel Palace’s neighbors could expect from the increased operating hours, and Naguib stated that the area in which the business is located does not receive much foot traffic at night, and that they do not anticipate that that will increase, and that most of the orders will likely be deliveries through ridesharing services.

Vice Chair Clingan asked if there was a duration limit if this request were granted, and Chair Burnley responded that the committee could ask representatives from Falafel Palace to return to the committee in six months to revisit the issue.

Chair Burnley opened the Public Hearing at 6:22 p.m.

Christine Evans stated that they have lived across the street from Falafel Palace and has never observed any public disturbances, reiterated that the area is normally quiet every night beginning at around 10 p.m., stated that it would be welcome to have businesses open later than that, and expressed support for the license.

James Ankrom stated that they live behind Falafel Palace, that they do not believe the proposed extended hours would disturb the neighborhood, would themselves enjoy having a food option open later than 10 p.m., and expressed support for the license.

Chair Burnley closed the Public Hearing at 6:25 p.m.

Chair Burnley stated they live down the street from Falafel Palace and that its location at the top of a hill makes the area quiet in the evening. Councilor Clingan suggested to the owners of Falafel Palace that they advise their late-night customers to be respectful of the neighborhood when leaving with their take-out orders, and expressed support for the license.

RESULT: RECOMMENDED TO BE APPROVED

AYE: Chairperson Burnley Jr., Vice Chair Clingan and Ward
Three City Councilor Ewen-Campen

Public Hearing re: item #23-0222

- 3. License (ID # [23-0222](#)) New Extended Operating Hours License, Chow N Joy, 626 Somerville Ave, opening Sun-Thurs until 1am and Fri-Sat until 2am for take-out and delivery services.

Chair Burnley stated that this item will be kept in committee because the license applicant was not present during the meeting.

RESULT: **KEPT IN COMMITTEE**

- 4. Grant of Location (ID # [23-0224](#)) Eversource applying for a Grant of Location to install 102 feet of conduit in Kent St, from Utility Pole 191/3 to a point of pickup at 22 Kent St.

Phyllis Galloway, Right of Way Agent at Eversource, spoke on behalf of Eversource and explained that the purpose of the grant is to provide electricity to 22 Kent Street. Chair Burnley asked if Eversource was able to provide an explanation as to why 102 feet of conduit was necessary, and Galloway stated that the option of using a manhole was considered but after reviewing the options the consensus was that the existing pole line should be used to feed this location’s transformer.

RESULT: **RECOMMENDED TO BE APPROVED**

AYE: Chairperson Burnley Jr., Vice Chair Clingan and Ward
Three City Councilor Ewen-Campen

Referenced Documents:

- L&P - 2023-03-06 Top Speed Vehicle Used Car Dealer Comments (with 23-0032)
- L&P - 2023-03-06 Falafel Place Extended Operating Hours Comments (with 23-0221)