



City of Somerville, Massachusetts

City Council Licenses and Permits Committee

Meeting Minutes

Monday, June 12, 2023

6:00 PM

This meeting was held via Zoom and was called to order by Vice Chair Clingan at 6:02 p.m. on a Roll Call Vote: 2 in favor (Councilors Ewen-Campen, Clingan), 0 opposed, 1 absent (Councilor Burnley and adjourned at 7:10 p.m. on a Roll Call Vote: 3 in favor (Councilors Ewen-Campen, Clingan, Burnley), 0 opposed, 0 absent.

Vice Chair Clingan noted that Chair Burnley would be joining the meeting late due to his participation in a Juneteenth holiday event.

Others present:

Michael Potere – Assistant Clerk of Committees; Kimberly Wells – City Clerk; J.T. Scott – City Councilor (Ward 2).

Roll Call

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

1. Committee Minutes
(ID # [23-0536](#))

Approval of the Minutes of the Licenses and Permits Committee Meeting of April 10, 2023.

RESULT: **ACCEPTED**

AYE: Vice Chair Clingan and Ward Three City Councilor Ewen-Campen

ABSENT: Chairperson Burnley Jr.

Public Hearing re: # 23-0919

2. License
(ID # [23-0919](#))

New Flammables License, John's Auto Sales, 166 Boston Avenue, 7,000 gallons.

Clerk Wells stated that this item has been through the internal approval process and that the City Clerk has no objection to it.

Vice Chair Clingan opened the Public Hearing at 6:05 p.m.

Vice Chair Clingan sponsored Angela Pendola, who asked if the gas station would remain at the address listed in this item. In response, Clerk Wells clarified that the license in this item pertains to the underground storage of flammable materials, which requires City Council approval for any amount over 800 gallons.

Vice Chair Clingan asked if this item relates to the next item on the agenda,

and Clerk Wells confirmed that it does, and that the same business is requesting two separate licenses.

Vice Chair Clingan sponsored Dmitri Vlachos, who expressed opposition to the license.

Vice Chair Clingan closed the Public Hearing at 6:10 p.m.

Councilor Ewen-Campen asked Clerk Wells about the regulations and safety precautions that are part of the permit review and application process. Clerk Wells responded that the City Clerk does not undertake enforcement, but that the Inspectional Services Department would be responsible for inspecting the site for safety, and also that there is a separate permit process the applicant engages in with the Fire Department, which conducts on-site inspections. Clerk Wells added that of licenses of this kind are typically issued to a location and remain at that location, and that in this instance, the license is being issued due to a change in ownership.

Councilor Ewen-Campen expressed support for this item, and requested verification that this license reflects the continued used of the property for this purpose at the next City Council meeting.

RESULT: **RECOMMENDED TO BE APPROVED**

AYE: Vice Chair Clingan and Ward Three City Councilor
Ewen-Campen

ABSENT: Chairperson Burnley Jr.

Public Hearing re: # 23-0918

3. License
 (ID # [23-0918](#))

New Used Car Dealer License Class 2, John's Auto Sales, 166 Boston Avenue, 28 cars outside, Mon-Fri: 8am-6pm, Sat: 8am-2pm, Sun: closed.

Vice Chair Clingan opened the Public Hearing at 6:16 p.m.

Vice Chair Clingan sponsored Angela Pendola, who asked if this license for auto sales would replace a gas station. Clerk Wells stated that the City Clerk cannot speak to what is currently at this address, but that for this license to have come as far as it has, the applicant must show that they have the right to occupy that space and that the space is zoned for the requested use.

Pendola then expressed objection to the establishment of an auto sales license at this location due to the negative impact it would have on traffic in the area. Vice Chair Clingan responded that it is not the Committee's role to engage in that type of analysis, and that if the site is zoned to permit auto sales, it is permissible.

Vice Chair Clingan asked Clerk Wells if it would be appropriate to table this item pending feedback from the Ward's Councilor, and Clerk Wells replied that the Ward Councilor's comments are a part of the application process.

Clerk Wells also noted that, as this item relates to the previous item regarding flammable liquids, the present license is requesting 7,000 gallons, whereas the previous occupant had a license for 18,000 gallons.

Vice Chair Clingan sponsored John Eleftherakis, the applicant and owner of the business, who indicated that these licenses are not new and have existed for approximately 30 years, and that these licenses are being requested because they purchased the property.

Vice Chair Clingan again sponsored Pendola, who asked if the license allowed 28 cars to be parked outside. Vice Chair Clingan responded that the license does allow up to 28 cars to be parked outside, and that whether or not the previous owner had 28 cars parked outside was up to them.

Councilor Ewen-Campen expressed support for the license, and explained that the Committee's role is limited to evaluating licenses that, having been legally and properly filed, exhibit extenuating circumstances, such as unusual complaints of bad behavior, and that otherwise the licenses should be approved.

Vice Chair Clingan sponsored Stanley Davitoria, who expressed support for the business's owner and for granting the license.

Vice Chair Clingan closed the Public Hearing at 6:29 p.m.

Councilor Scott expressed support for granting the license, noting that the business's owner has been responsive to community feedback and requests.

RESULT: **RECOMMENDED TO BE APPROVED**

AYE: Vice Chair Clingan and Ward Three City Councilor
Ewen-Campen

ABSENT: Chairperson Burnley Jr.

Public Hearing re: # 23-0917

4. License New Garage License, Somerville Auto Center, 193 Somerville Avenue, 18 cars inside only, for autobody work and spray painting, Mon-Fri: 8am-6pm, Sat: 8am-2pm, Sun: closed.
 (ID # [23-0917](#))

- 1) The spray booth must be used at all times for spray painting, and maintained in good condition to prevent paint fumes in the neighborhood.
- 2) This license allows no overnight exterior parking of vehicles being serviced at this location.
- 3) The hours of operation for this business are to be strictly observed to prevent disruption in the neighborhood.

Vice Chair Clingan opened the Public Hearing at 6:31 p.m.

Vice Chair Clingan sponsored Anne Vigorito, the attorney for the applicant,

who stated that the reason this license is before the Committee is because the applicant neglected to timely mail a check to renew it, and that the applicant is an established business looking to continue operating in the same manner.

Vice Chair Clingan sponsored John Eleftherakis, who expressed support for granting the license, noting the owner's involvement with the community.

Councilor Scott put forth the following proposed conditions on granting the license:

1) The spray booth must be used at all times for spray painting, and maintained in good condition to prevent paint fumes in the neighborhood.

2) This license allows no overnight exterior parking of vehicles being serviced at this location.

3) The hours of operation for this business are to be strictly observed to prevent disruption in the neighborhood.

Councilor Scott added that the applicant was consulted and these conditions were mutually agreed upon.

Vice Chair Clingan sponsored Mary Gates, who expressed support for granting the license with the proposed conditions.

Vice Chair Clingan sponsored Stanley Davitoria, the applicant and owner of the business, who confirmed being in agreement with the conditions proposed by Councilor Scott.

Vice Chair Clingan closed the Public Hearing at 6:40 p.m.

Vice Chair Clingan read the proposed conditions into the record.

Clerk Wells clarified for the public that this license was last renewed in 2020, and the fact that the lack of renewals spanned more than one year is the reason it needed to be approved by this Committee. Clerk Wells further explained that if the payment was merely a week or a month late, this process would not have been required.

RESULT: **RECOMMENDED TO BE APPROVED WITH
CONDITIONS**

AYE: Vice Chair Clingan and Ward Three City Councilor
Ewen-Campen

ABSENT: Chairperson Burnley Jr.

Public Hearing re: # 23-0774

5. License (ID # [23-0774](#)) New Billiards and Bowling License, The Public, 563 Broadway, 2 pool tables.
- Vice Chair Clingan opened the Public Hearing at 6:43 p.m.
- Vice Chair Clingan sponsored Debbie Zammuto, the applicant and business owner, who stated that they are going to be opening up a public restaurant at the location, which is currently a private club that already has two pool tables. Vice Chair Clingan asked if the location is currently a tavern, and Zammuto responded that it is currently occupied by the Sons of Italy, but that Zammuto owns the property and is choosing to convert it to a public restaurant.
- Vice Chair Clingan closed the Public Hearing at 6:46 p.m.
- Councilor Ewen-Campen expressed support for granting the license.
- RESULT:** **RECOMMENDED TO BE APPROVED**
- AYE:** Vice Chair Clingan and Ward Three City Councilor Ewen-Campen
- ABSENT:** Chairperson Burnley Jr.

Public Hearing re: # 23-0752

6. License (ID # [23-0752](#)) New Garage License, Zone Kar, 166 Boston Ave, 2 cars inside, 4 outside for mechanical repairs only, Mon-Fri 7:30am-5:30pm, Sat & Sun closed.
- Vice Chair Clingan asked if this is related to Items 2 (ID # 23-0919) and 3 (ID # 23-0918), and Clerk Wells confirmed that it is, adding that each business purpose requires a separate permit, and that this is the garage component.
- Vice Chair Clingan opened the Public Hearing at 6:48 p.m.
- Vice Chair Clingan sponsored John Eleftherakis, the applicant and business owner, who stated that the mechanic who operates at this location has an excellent reputation in the community.
- Vice Chair Clingan closed the Public Hearing at 6:49 p.m.
- Chair Burnley arrived in time to vote on this item, and voted to recommend approval.
- RESULT:** **RECOMMENDED TO BE APPROVED**
- AYE:** Chairperson Burnley Jr., Vice Chair Clingan and Ward Three City Councilor Ewen-Campen
7. License (ID # [23-0600](#)) Renewing Outdoor Parking License, Mercedes Benz of Boston, 161 Linwood St.

Chair Burnley stated that Items 7 (ID # 23-0600), 8 (ID # 23-0594), 9 (ID # 23-0593), and 10 (ID # 23-0589) would be taken together.

Councilor Scott stated that these licenses were referred to the Committee to provide a representative from Herb Chambers, thought to be Jeff Davis, with an opportunity to discuss them, and continued by noting the high level of activity taking place and the corresponding traffic congestion in the Brick Bottom area. Chair Burnley asked if the applicant had been made aware of this meeting, and Clerk Wells confirmed that an invitation was sent out to the applicant. Chair Burnley asked if Councilor Scott would prefer these Items be held in committee, and Councilor Scott replied that they would support them being put up for approval and any additional details can be discussed at the next City Council meeting, adding that these Items could be severed and returned to this Committee at that time.

RESULT: **RECOMMENDED TO BE APPROVED**

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

8. License
(ID # [23-0594](#))

Renewing Garage License, Mercedes Benz of Boston Commercial Vans, 161 Linwood St.

Chair Burnley stated that Items 7 (ID # 23-0600), 8 (ID # 23-0594), 9 (ID # 23-0593), and 10 (ID # 23-0589) would be taken together. Minutes for these Items are located under Item 7 (ID # 23-0600).

RESULT: **RECOMMENDED TO BE APPROVED**

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

9. License
(ID # [23-0593](#))

Renewing Garage License, Mercedes Benz of Boston, 161 Linwood St.

Chair Burnley stated that Items 7 (ID # 23-0600), 8 (ID # 23-0594), 9 (ID # 23-0593), and 10 (ID # 23-0589) would be taken together. Minutes for these Items are located under Item 7 (ID # 23-0600).

RESULT: **RECOMMENDED TO BE APPROVED**

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

10. License
(ID # [23-0589](#))

Renewing Garage License, Herb Chambers, 259 McGrath Hwy.

Chair Burnley stated that Items 7 (ID # 23-0600), 8 (ID # 23-0594), 9 (ID # 23-0593), and 10 (ID # 23-0589) would be taken together. Minutes for these Items are located under Item 7 (ID # 23-0600).

RESULT: **RECOMMENDED TO BE APPROVED**

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

11. License (ID # [23-0584](#)) Renewing Garage License, Dewire Family Trust, 387 Washington St.

Chair Burnley stated that Items 11 (ID # 23-0584), 12 (ID # 23-0583), and 13 (ID # 23-0582) would be taken together.

Councilor Scott stated that these Items were sent to the Committee due to questions from community members regarding the actual use of these properties. Councilor Scott continued that, although these are applications for licenses for car repair garages, none of the properties appear to be operating as such, and that the requested hours of operation on the applications do not appear to reflect actual usage. Chair Burnley asked if Councilor Scott if these Items should be kept in committee or recommended for approval, who responded by seeking additional information as to whether or not the applicant had been invited to this meeting. To that, Clerk Wells responded that an invitation was sent out to the applicant, and added that the Clerk's office could contact the applicant again. Councilor Scott then expressed a preference to leave these Items in committee pending the successful engagement of the applicant, to which Chair Burnley did not object. Councilor Ewen-Campen asked if keeping these Items in committee would jeopardize the licenses in any way that could support legal action against the City Council, and Clerk Wells responded that there is no stated timeframe for these license applications, and added that the lack of an appearance by the applicant or a representative supports the Committee's reasoning for leaving the Items in committee.

RESULT: KEPT IN COMMITTEE

12. License (ID # [23-0583](#)) Renewing Garage License, Dewire Family Trust, 381 Washington St.

Chair Burnley stated that Items 11 (ID # 23-0584), 12 (ID # 23-0583), and 13 (ID # 23-0582) would be taken together. Minutes for these Items are located under Item 11 (ID # 23-0584).

RESULT: KEPT IN COMMITTEE

13. License (ID # [23-0582](#)) Renewing Garage License, Dewire Family Trust, 141 Beacon St.

Chair Burnley stated that Items 11 (ID # 23-0584), 12 (ID # 23-0583), and 13 (ID # 23-0582) would be taken together. Minutes for these Items are located under Item 11 (ID # 23-0584).

RESULT: KEPT IN COMMITTEE

Referenced Documents:

- L&P - 2023-06-12 - Public Comments (with 23-0917, 23-0918, 23-0919, 23-0752)
- L&P - 2023-06-12 Conditions (with 23-0917)