



CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES

December 8, 2021
REPORT OF THE LICENSES AND PERMITS COMMITTEE

Attendee Name	Title	Status	Arrived
William A. White Jr.	Chair	Present	
Wilfred N. Mbah	Vice Chair	Absent	
Jefferson Thomas ("J.T.") Scott	Ward Two City Councilor	Present	

Others present: Tom Galligani - OSPCD, Brian Postlewaite - Engineering, Joe Lynch - Licensing Commission, Bernabe Rodriguez - Asst. City Clerk, Kimberly Wells - City Clerk, Peter Forcellese - Legislative Clerk. Councilor Mbah was unable to attend the meeting due to a scheduling conflict resulting from the time change of this meeting.

The meeting took place virtually via GoToWebinar and was called to order at 4:01 PM by Chair White and adjourned at 4:57 PM on a roll call vote of 2 in favor (Councilors Scott and White), 0 against and 1 absent (Councilor Mbah).

Approval of the October 27, 2021 Minutes

The minutes were accepted on a roll call vote of 2 in favor (Councilors Scott and White), 0 against and 1 absent (Councilor Mbah).

RESULT:	ACCEPTED
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Public Hearing - 212597

212597: New Garage License, Toucan Auto Repair Inc, 224 Somerville Avenue, 15 vehicles inside, 4 vehicles outside, for autobody work, spray painting, and charging money to store vehicles.

This item was withdrawn by the petitioner.

RESULT:	WITHDRAWN
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Public Hearing - 212598

212598: New Used Car Dealer Class 2 License, Auto Plus LLC, 229 Lowell St, 2 inside, 2 outside.

Petitioner Patrick Lydon, owner/operator of Auto Plus spoke in favor of the item. Resident Alan Dickens spoke in favor of the petition, saying that he spoke with Mr. Lyndon about the business and expressed his concern about for sale signage being placed on vehicles. City Clerk Wells stated that all paperwork was in order. Chair White moved to *condition the license by imposing a restriction against placing signage on vehicles that are parked outside*.

Councilor Scott inquired about another business, (Pete's Boys), located at the same address and Mr. Lydon explained that the owner of that business is his landlord. He further explained that his vehicle storage count would be included in the overall vehicle cap for the property.

RESULT:	APPROVED WITH CONDITIONS. [UNANIMOUS]
AYES:	White Jr., Scott
ABSENT:	Mbah

212026: Submitted by Verizon to install a Utility Pole 70S near the intersection of Houghton and Prospect Sts.

There was no representative present from Verizon. Councilor Scott moved to *deny the application*.

RESULT:	NOT APPROVED. [UNANIMOUS]
AYES:	White Jr., Scott
ABSENT:	Mbah

212359: That the Director of Inspectional Services, the Chair of the Commission for Persons with Disabilities, and the Chair of the Licensing Commission appear before this Council to discuss permitting and enforcement of accessibility concerns related to outdoor dining.

Items 212359 and 212367 were discussed together.

Mr. Galligani told the committee that work is continuing to develop a process for permitting outdoor dining. At this time, he is waiting for feedback from the Law Department, the Licensing Commission, the City Clerk's Office, the Disability Commission and the business community to finalize plan. He said that the new Disability Coordinator will be working on this and the expectation is to have something in place in time to allow for outdoor dining in April. Mr. Lynch explained that there will be an internal meeting before a proposal gets to the Licensing Commission in January and he hopes to have the rules for ADA compliance in place by then. Mr. Galligani and Mr. Postlewaite have been taking the lead on this matter and are working with about a dozen staff from other departments on the internal team. Mr. Lynch noted that he has not been involved in the drafting of the process. Councilor Scott asked that the ADA Chair, Bonnie Denis, be included in the discussions as more than a resident.

Regarding Ms. Denis's outstanding public records request to the City, Chair White explained that the committee isn't able to directly address Ms. Denis' public records request because it cannot order the City Solicitor's office to produce documents. Chair White stated that he had been in touch with Assistant City Solicitor David Shapiro and that there seems to have been ongoing discussions about the appropriate search parameters to use to locate the emails responsive to the request. The Chair submitted a document from Assistant City Solicitor Shapiro detailing the email trail of his communications with Ms. Denis about the search parameters. He asked her to reach agreement on

the search terms with Assistant City Solicitor David Shapiro. Chair White stated that he doesn't think that the city is not trying to help. Ms. Denis stated that the committee previously directed that the documents be provided to her and that she be involved in the planning/drafting process for the upcoming seating regulations - neither of which happened. She maintains that the city doesn't want to release the documents and is just making it appear as though they want to help. Chair White said that the representation was made tonight that she would be involved in the process. Councilor Scott said that he is disappointed at the way the city is fulfilling this public records request, adding that it shouldn't be a private citizen's responsibility to search for the records. With respect to this request, the item should remain open until the ADA Chair receives the records requested. Chair White asked Councilor Scott to assist Chair Denis in her efforts to secure the documents by interceding with the Law Department.

Councilor Scott sponsored Sam Alterman to speak on this matter. Mx. Alterman stated that they have been working with Ms. Denis to secure the requested documents. They noted that there were problems with the search terms and formatting among other things. They stated that this has been going on for several months and that there is a history of the city fighting ADA requests for information.

RESULT:	KEPT IN COMMITTEE
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212367: Directors of OSPCD, ISD, and Engineering responding to questions posed by the Land Use Committee regarding ADA compliance for outdoor seating.

Items 212359 and 212367 were discussed together.

RESULT:	KEPT IN COMMITTEE
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212617: Submitted by Verizon to install 75 feet of conduit in the intersection of Broadway and Dartmouth Street from an existing manhole 44/318 to an existing Utility Pole 45/13 located at the rear of 350 Broadway.

There was no representative present from Verizon. Chair White stated that because of the time change of this meeting and because there was a resident who had concerns about this item, he would leave the item in committee for future action.

RESULT:	KEPT IN COMMITTEE
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Reference Material:

- Public Comment (with 212598)
- Ms. Denis Request Emails from David Shapiro, Esq (with 212359, 212367)