



**CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES**

December 12, 2018
REPORT OF THE LICENSES AND PERMITS COMMITTEE

Attendee Name	Title	Status	Arrived
Mary Jo Rossetti	Chair	Present	
Wilfred N. Mbah	Vice Chair	Present	
Jefferson Thomas ("J.T.") Scott	Ward Two Alderman	Present	

1. Approval of the November 7, 2018 Minutes

RESULT:	ACCEPTED
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PUBLIC HEARING for #205979: New Extended Operating Hours License, Lucky Strike, 325 Revolution Dr, staying open in-store with no alcohol service until 2AM daily.

205979: New Extended Operating Hours License, Lucky Strike, 325 Revolution Dr, staying open in-store with no alcohol service until 2AM daily.

No representative of the petitioner appeared before the Committee, and no one testified. The Committee would like to hear from the petitioner. The public hearing closed at 6:35 p.m. The item was kept in Committee.

RESULT:	KEPT IN COMMITTEE
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203441: New Extended Operating Hours License, La Posada Restaurant, 505 Medford St, opening 7 days/wk to 3AM for in-store, take-out, and delivery service.

Mr. Long received an email from Ward 5 Alderman Niedergang notifying him that the applicant had received an alcohol license and is satisfied to operate within those hours, which allow him to stay open until 1:00 a.m. The owner requested to withdraw this application.

RESULT:	PLACED ON FILE
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206754: Renewing Lodging House License, Theta Delta Chi, 123 Packard Ave.

Items 4, 5 and 6 were discussed together. Representatives from Tufts appeared before the committee. They had also sent a letter stating that Tufts University has signed a purchase and sale agreement with the owners of 123 Packard Avenue. See attached letter. Mr. Long reported that he was contacted by the attorney for 123 Packard Avenue recently, who confirmed that agreement. The property will be used to house grad students. Tufts will submit a request for lodging house license to the city for the property.

RESULT:

PLACED ON FILE

206563: Tufts Director of Government and Community Relations submitting comments re: a lodging house license application for 123 Packard Ave.

For discussion of this item, see #206754.

RESULT:

WORK COMPLETED

206801: That the City Solicitor review the video of the October 9, 2018 Licenses and Permits Committee meeting and advise the Committee how to proceed with #206754, a Lodging House License application from Theta Delta Chi, 123 Packard Ave.

For discussion of this item, see #206754.

RESULT:

WORK COMPLETED

206989: New Lodging House License, Walnut Hill Properties, 97 Curtis St, 6 residents.

Ward 7 Alderman Ballantyne attended the meeting to discuss this item. She had also sent an email to the Committee expressing her concerns and stating that she is not in support of this request. Her email states that Tufts has a “for profit” business called Walnut Hill Properties, that Tufts University has said they would not expand into Somerville neighborhoods with any Walnut Hill property, and that Walnut Hill is not protected by the Dover amendment. She stated this request should go before the Zoning Board, not this Committee. She said there have been attempts to have a conversation with Tufts about their intentions in the neighborhood, and requests for Tufts University to share its master plan, without any success. Mr. Long also distributed emails from residents James Bossi and James Bridge expressing opposition to this request. See attached emails.

Representatives from Walnut Hill Properties stated they are a subsidiary of Tufts and a registered 501(c)(3) non-profit that pays property taxes for its Somerville properties. Walnut Hill Properties has housed grad students for years. The representative from Tufts University stated that Tufts does not have a master plan.

Mr. Long stated that this application was submitted to a City zoning planner, who signed off on it. Alderman Ballantyne spoke to Mr. Proakis from OSPCD, who said houses cannot have more than 4 residents, the property would require a Certificate of Occupancy, and it would have to go through the zoning process. She felt the request should be reviewed by the Law Office, to insure compliance with all local ordinances.

Alderman Scott reviewed information about the property with the representative from Walnut Hill Properties. Walnut Hill acquired 97 Curtis Street in 1973, and owns about 80 properties with 100 units, split between Somerville and Medford.

Resident Jim Monagle from 89 Ossipee Road voiced his concerns about this request. He stated he has been involved with these requests from Tufts since 1988. Back then, Tufts did have a master plan and did not share it with anyone. Tufts master plan intended to purchase housing going down to Powderhouse Boulevard. He voiced concern that Tufts had 4,200 students then, 5,500 now, and has expressed interest in growing to 5,800. He referenced a neighborhood nearby in Medford whose owners have been chased out over time, replaced by students. He said that when school isn't in session, the neighborhood is empty and dead. He noted that Tufts continues to take in students without increasing its housing stock.

Mr. Long will consult with planning and the city's law office on this matter and come back to the committee with feedback.

RESULT:	KEPT IN COMMITTEE
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204527: Requesting that Eversource meet with this city's Administration to discuss creating a city-wide Host Community Agreement.

Ms. Connor from the Mayor's Office is working with the City Engineer and reported many challenges in working with Eversource. The City Engineer has had one-on-one meetings with Eversource since he came on board, but gaining compliance with even the most basic regulations has been difficult. Ms. Connor said a city-wide Host Community Agreement would be great, but is unrealistic at this time. She said she will continue conversations with Eversource.

RESULT:	KEPT IN COMMITTEE
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206864: That the Administration report to this Board, any instances of businesses found guilty of wage theft by the Attorney General's Office, and what action was taken in accordance with our wage theft ordinance.

Ms. Connor from the Mayor's Office is working with Mr. Grossfield from the Law Office on this matter. She distributed the city's Ordinance 9-31 on Wage theft, and a MA Fair Labor Division spreadsheet listing citations since 2015 against Somerville employers for wage issues. See attached documents. She said that the citations are not admissions of guilt, and do not meet the definition of wage theft in the city's ordinance. The Committee discussed amending the ordinance, and what Committee should take the lead. Mr. Long stated that the city's business license applications require self-disclosure for wage theft convictions. He noted that a business on the State spreadsheet has three business license renewal applications coming before the Board at its next meeting, which would provide a good opportunity for the Committee to decide whether and how the Wage Theft Ordinance should be amended.

RESULT:	KEPT IN COMMITTEE
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COMMITTEE MEETING HANDOUTS

1. Sign in Sheet
2. Tufts re 123 Packard 206754
3. Ballantyne email 206989
4. Bossi email 206989
5. Bride email 206989
6. MA Fair Labor Division 206864
7. MA Wage Citations 206864
8. Ord 9-31 Wage Theft 206864