



CITY OF SOMERVILLE, MASSACHUSETTS  
CLERK OF COMMITTEES

December 3, 2014

REPORT OF THE LICENSES AND PERMITS COMMITTEE

Attendee Name	Title	Status	Arrived
Dennis M. Sullivan	Chair	Present	
Maryann M. Heuston	Vice Chair	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	

Also present: Alderman Matt McLaughlin, Goran Smiljic, Frank Wright, David Shapiro, John Long, Omar Boukili, Jackie Rossetti

**Approval of the Minutes of October 07, 2014**

**RESULT:**

**APPROVED**

**Approval of the Minutes of October 08, 2014**

**RESULT:**

**APPROVED**

- **Public Hearing: ABJ Auto Repair Inc., 91 Marshall Street - Garage License**

The applicant appeared before the committee.

- **Public Hearing: Domenic Catino dba Wizard Catering - Mobile Food Vendor License**

The applicant's attorney, Mr. Vigoritto, spoke on the item and provided some background information. William Tauro spoke in favor of the petition stating that the applicant has been doing business there for 27 years, before Assembly Row and Home Depot. Russ Joyner, the General Manager of Assembly Row, spoke against the petition and stated that the vendor was invited to operate during the Assembly Row construction period, but now that the shops and restaurants are open, they would like the applicant to return to his former location. The owners of 2 food establishments at Assembly Row also spoke against the petition, stating that they pay high rents to operate there.

- **Public Hearing: Blue Zone LLP dba Broadway Eatery, 1157 Broadway - Extended Operating Hours**

The applicant cited competing businesses in Medford that are open until 2 or 3 AM and said that he only wants the extended hours for delivery purposes.

- **Public Hearing: Hess Retail Operations Inc., 709 McGrath Highway - Extended Operating Hours**

The applicant stated that the business currently operates on a 24/7 basis, but due to a corporate change, it became necessary to re-apply. One resident complained about problems with rodents, public urination and loud music. Another resident stated that the managers do a very good job. Alderman McLaughlin spoke about numerous complaints he's received regarding trash at the location.

**196760 - That the Administration create a process to evaluate public events for financial impacts on city resources, and use it for all public event applications.:**

Jackie Rossetti spoke about recent events and distributed some data. Fees are still being researched and will be tiered according to type, i.e., for profit, non-profit, etc.

**RESULT:**

**KEPT IN COMMITTEE**

**197553 - Sign/Awning Permit, Brazil Express, 429 Somerville Ave., 1 sign.:**

**RESULT:**

**KEPT IN COMMITTEE**

**197670 - That the Director of SPCD (ISD) enforce that city streets are not being used by Alewife Automotive, 395 Alewife Brook Parkway.:**

**RESULT:**

**WORK COMPLETED**

**197814 - That the City Clerk schedule a Show Cause hearing during the month of November for the Committee on Licenses and Permits to determine why the Garage License for Alewife Automotive, 395 Alewife Brook Parkway, should not be suspended or revoked.:**

The applicant appeared with his attorney. Chairman Sullivan and Alderman Ballantyne were pleased with the progress being made to resolve past problems. The applicant asked to increase the number of vehicles allowed on the lot and Alderman Heuston requested that ISD make a recommendation.

Alderman Ballantyne's motion to allow 29 vehicles outside and 3 inside was approved. The matter will be reviewed in February of 2015.

**RESULT:**

**WORK COMPLETED**

**197845 - New Extended Operating Hours License, Hess, 709 McGrath, operating 24/7.:**

A motion by Aldermen Ballantyne and Heuston, that the Inspectional Services Department inspect the dumpsters for compliance and recommend a suitable location for them, was approved.

**RESULT:****KEPT IN COMMITTEE****197846 - New Mobile Food Vendor, Wizard Catering.:**

Solicitor Frank Wright informed the members that this would fall under the city's food truck ordinance and pointed out that the street is not yet a public street, therefore the owner of the street may determine who can or cannot operate there. Mr. Wright does not believe that this is a city matter at this time. Assistant Solicitor David Shapiro read a legal opinion into the record. Attorney Vigoritto explained how the semantic of a "metered spot" being public or private is confusing and new to everyone and asked if the applicant could be granted a license, that would be held in abeyance pending reaching an agreement with Federal Realty. Aldermen Heuston and Ballantyne suggested that the applicant and Federal Realty try to reach an agreement. Mr. Joyner stated that it was always very clear that the arrangement was short term.

**RESULT:****KEPT IN COMMITTEE****197913 - New Outdoor Seating License, Tony C's Sports Bar and Grill, 699 Assembly Row, 46 tables, 184 seats.:**

The applicant presented a plan showing the location of the requested outdoor seating. The committee directed that the City Clerk and the Traffic And Parking Department work on the matter since the location is not a public street.

**RESULT:****KEPT IN COMMITTEE****197914 - New Outdoor Seating License, Atelier Pilates, 7 Landers Street, 1 A-frame sign.:****RESULT:****KEPT IN COMMITTEE****197940 - New Garage License, ABJ Foreign Auto Supply, 91 Marshall St., 3 cars inside, 27 outside, M-F 8-6PM, Sa 8-3PM.:**

Chairman Sullivan stated that the Ward 4 Alderman wished to decrease the number of vehicles allowed at the business. The committee recommended that the applicant get an outdoor parking license.

**RESULT:****KEPT IN COMMITTEE****197946 - New Extended Operating Hours License, Broadway Eatery, 1157 Broadway, Opening Thu-Sat to 2AM.:****RESULT:****APPROVED**

**197964 - That the Director of SPCD (ISD) inventory all businesses on Columbia Street to determine proper licensing and adherence to licensing requirements, and report his findings to the Ward 2 Alderman.:**

**RESULT:**

**KEPT IN COMMITTEE**

**197968 - That the manager of Royal Hospitality Services appear before this Board to address issues related to their hours of operation and neighborhood disturbances cause by truck activity.:**

Mr. Gentile, from Royal Hospitality, stated that the business hours are 6:00 AM to midnight, and 6:00 AM to 2:00 AM during the busy season. Alderman Heuston spoke of the vehicles' back up horns disturbing neighbors and requested that the bay closest to the street be shut down at 10:00 PM. She also asked that the decibel level of the back up horns be checked.

**RESULT:**

**WORK COMPLETED**

**198028 - Sign/Awning Permit, Gardini Law Office, 24 Dane St., 1 blade sign.:**

**RESULT:**

**KEPT IN COMMITTEE**

**198036 - Renewing Used Car Dealers License Class 2, PJ's Motorcars, 161 Broadway.:**

**RESULT:**

**APPROVED**