



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

July 11, 2018
REPORT OF THE LICENSES AND PERMITS COMMITTEE

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

Others present: Alderman Katjana Ballantyne, Chief Charles Breen - SFD, Lt McLaughlin - SFD, John Long - City Clerk, Peter Forcellese - Legislative Clerk.

The meeting took place in the Committee Room and was called to order at 6:01 PM by Chairman Rossetti and adjourned at 7:10 PM.

Approval of the May 31, 2018 Minutes

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| RESULT: | ACCEPTED |
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Public Hearing - Item 206128

206128: New Garage License, ONF Auto Body, 627 Somerville Ave, 33 vehicles inside, none outside, for mechanical repairs, auto body, spray painting, storing vehicles.

Applicant Onsel Falaise and his attorney, Anne Vigorito, appeared before the committee. Mr. Falise is the new owner of the business at this location, where he worked for 25 years and which has been used as an auto body shop during that time. The application before the committee mirrors the previous owner's application with respect to the work being performed, vehicle storage, etc.. Resident and neighbor Dorothy Suput stated that she has had no problems with the establishment, but said as an aside, that everyone wants a clean environment and fumes from spray painting could make breathing difficult, although the fumes have never been bothersome to her. There were no speakers against the application. The committee was assured that abutters were properly noticed.

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| RESULT: | APPROVED |
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Public Hearing - Item 206129

206129: New Used Car Dealer Class 2 License, Web Motor Sales, 5 Middlesex Ave, no vehicles stored onsite.

Mr. Wagner Santos appeared before the committee, representing his wife Raquel, who is the owner of this business. Mr. Santos gave a brief presentation of how this business operates and told the committee that all transactions are conducted online. Vehicles are presently stored in Lynn and customers may either pick up their vehicles there or have them delivered to their doors. Since there is no opportunity to test drive the vehicles, the company offers a 3 business day - no question return policy. The business has a location in Somerville for internet sales only and no vehicles are permitted to be shown or stored on-site. There were no speakers against the application. The committee was assured that abutters were properly noticed.

RESULT:

APPROVED

205007: That the City Clerk confer with the City Solicitor on a policy to review prior infractions for any business applying to renew a license.

Chairman Rossetti referenced a memo from Assistant City Solicitor Jason Grossfield, received at a prior committee meeting, that indicated which licenses could be reviewed. Mr. Long presented a sample business license renewal form that showed tickets issued to that business over the past year. He noted that commercial trash violations are issued to the building property owner and ISD makes no effort to determine which business committed the infraction, so a violation appearing on a license renewal might not be the fault of the business that received the ticket. Mr. Long told the committee that any business applying for a license renewal must have all outstanding tickets paid prior to the application being sent to the committee. Mr. Long will continue to explore available options.

RESULT:

WORK COMPLETED

205545: New Extended Operating Hours License, Venus Pizza and Grill, 1293 Broadway, remaining open nightly to 2:30AM for delivery service only.

Chairman Rossetti gave a brief history of this item and stated that a public hearing was held on May 31, 2018. Mr. Long presented 2 communications from Marietta Haley that were received by his office. Chairman Rossetti said that the applicant also sent a communication late today (which will be included in this record).

Alderman Ballantyne addressed the committee saying that she does not support this application. City ordinance allows this type of business to stay open until midnight and any hours beyond that requires approval from the BOA. Alderman Ballantyne stated that she spoke to abutters and that their relationship with the business owner has been tense. The present owner has had the business for about 1 year, yet conditions outside the establishment haven't changed much, albeit the trash situation is a little better. Neighborhood relations haven't improved and Alderman Ballantyne has not heard from anyone who supports the extended hours. Today, she spoke with the applicant to inform her that she was not going to support the application. Following that conversation, the City Clerk received a communication from the owner, (which is included in this record). Alderman Ballantyne noted that of the non-alcohol serving eateries in Teel Square, none have hours beyond midnight due to the lack of foot traffic in the area.

RESULT:

NOT APPROVED

205717: That the Chief Fire Engineer inform the Committee on Licenses and Permits how the Fire Prevention Bureau reviews applications and issues licenses for the storage of

flammables.

Chairman Rossetti explained that this matter came about as the result of a previous applicant, Internap Corp., realizing that it did not have the proper license to store flammables. Chief Breen informed the committee that, in fact, the business in question had permits for the storage of flammables all along, but they didn't have a license since a license is not required unless the storage is for more than 10,000 gallons. Guidelines are set by the state. Mr. Long thought that a license was needed for their 9,600 gallon tank and Chief Breen said that the Fire Prevention Department should have caught the mistake and sent the application back to the City Clerk's office. Chief Breen told the members that Keolis has the only active above ground tanks that require licensing. Chairman Rossetti noted that Internap actually paid for license they didn't need, so the license fee should be refunded. Mr. Long will take care of this.

RESULT:**WORK COMPLETED****Handouts:**

- Presentation - Web Motor Sales
- Sample Bus. License Renewal
- Email - M Haley 5-31-18 - Venus Pizza & Grill
- Email - M Haley 7-10-18 - Venus Pizza & Grill
- Email - L Mitko - Venus Pizza & Grill
- 502 CMR - Storage Tanks
- 527 CMR - Fire Prevention Regulations
- Flammables Storage Guide
- Underground Storage Tank Form