



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

July 10, 2019  
REPORT OF THE LICENSES AND PERMITS COMMITTEE

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Mary Jo Rossetti	Chair	Present	
Wilfred N. Mbah	Vice Chair	Absent	
Jefferson Thomas ("J.T.") Scott	Ward Two City Councilor	Present	

Others present: Councilor Jesse Clingan, John Long - City Clerk, Tom Barry - DPW, Chief David Fallon - SPD, Sgt. Whalen - SPD, Stan Koty - DPW, Hannah Pappanheim - Law, Greg Jenkins - Arts Council, Annie Connor - Mayor's Office, Peter Forcellese - Legislative Clerk.

The meeting took place in the Committee Room and was called to order at 6:03 PM by Chairman Rossetti and adjourned at 9:55 PM.

**Approval of the May 29, 2019 Minutes**

<b>RESULT:</b>	<b>ACCEPTED</b>
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**Public Hearing: Item #207994**

**New Used Car Dealer Class 2 License, Real Auto Shop, 39 Webster Ave**

**207994: New Used Car Dealer Class 2 License, Real Auto Shop, 39 Webster Ave, 0 vehicles inside, 20 outside, opening Mon-Fri 8AM-7PM, Sat 8AM-3PM, Sun Closed.**

The Public Hearing was opened and the owners of this business informed the committee that they also operate two other facilities in the city, under different licenses. The item before the committee tonight is will be used as an expansion of their body shop services. There were no speakers against this item and the Public Hearing was closed.

Councilor Scott inquired about the operating hours at the other two locations and also about any business partners. He has had no complaints regarding the other locations, but feels the hours for this location are too long. He moved to amend the hours of operation for this license to: Mon - Fri 9:00 AM to 7:00 PM, Sat 9:00 AM to 3:00 PM, Sun - none. The motion was approved.

Chairwoman Rossetti reviewed the parking information received from ISD, i.e., that 14-16 cars would fit on the lot if the Webster Avenue entrance was closed. The business owner is concerned that if that entrance is closed, it may cause traffic problems for neighbors, but Councilor Scott thinks

that the traffic could be mitigated. The business owner stated that he could operate with 14-16 cars on site, since it provides space for customers to park.

Councilor Scott motioned to amend the license to allow for 15 vehicles to be parked outside. The motion was approved.

**RESULT:**

**APPROVED AS AMENDED**

**Public Hearing: Item #208307 - Extended Operating Hours, Papa John's Pizzeria**

**208307: New Extended Operating Hours License, Papa Johns Pizza, 622 Somerville Ave, seeking to remain open for take-out and delivery service until 1AM Sun-Thu, and 2AM Fri-Sat.**

The Public Hearing was opened and the owner of this business, Raymond Ramos, informed the committee that he would like to continue operating with the current extended hours. Mr. Long explained that Mr. Ramos is the new owner of this business, and since extended operating hours licenses are not transferable, a new application had to be filed. Mr. Long also made the committee aware that there was an error in the license application, i.e., the application included IN-STORE service, but this business has no intention of in-store service for the extended hours. The application will be corrected by changing the extended hours for in-store service to NONE and the committee will act on the corrected application at this meeting.

**RESULT:**

**APPROVED**

**207025: Robert Toro submitting comments re: C&M Auto Sales, licensed as a Used Car Dealer at 39 Webster Ave.**

**RESULT:**

**PLACED ON FILE**

**208358: Submitted by Eversource to install 23 feet of conduit in Chester Ave from Utility Pole 64/0 to a point of pickup at 141 Cross St.**

Eversource representative Jacqui Duffy and several residents were present to discuss this item. Chairwoman Rossetti stated that she and Councilor McLaughlin spoke to the developers of the site and were told that a representative would attend this meeting, however, none attended. Chairwoman Rossetti informed those present that this project is being built 'by right' and that she has been told by the developer that their contact information has been put on the project placard so that neighbors may contact them directly to discuss any concerns. She advised the residents to go to ISD to discuss their concerns, as well, adding that she has contacted staff there to let them know that some residents will be bringing this issue to them. Chairwoman Rossetti asked that she and Councilor McLaughlin be updated by the residents after their meeting with ISD.

Chairwoman Rossetti directed the meeting back to the item before the committee - the Grant of Location for 141 Cross Street. Councilor Scott commented that he still doesn't know the timeline for the project and that he still has some outstanding issues involving Union Square, so he is fine with postponing action on this item until September.

**RESULT:**

**KEPT IN COMMITTEE**

**208247: That the Director of the Arts Council, the Chief of Police and the Commissioner of Public Works appear before this Council's Committee on Licenses and Permits to discuss future preparations for Porchfest.**

Chairwoman Rossetti reported that she received complaints about safety issues and the amount of trash left behind from the recent PorchFest event and she would like to hear ideas about how to deal with this. Chief Fallon explained that the plans were reviewed by the Police Department's Special Operations division, the Arts Council and the DPW and that those plans were successful. Following the event, those staff members met again to discuss ways to continue to improve the handling of this event. Chief Fallon noted that there were no arrests and he said that host residents need to understand that there are reasons for the police shutting down bands at certain times and that compliance with those directives is necessary to maintain the safety of the public. Mr. Jenkins spoke about the possibility of shutting some streets down if it's known in advance that a particular street may be busy. Chief Fallon suggested the possibility of moving those bands with a large following to a public space.

Sgt. Whalen said that switching the direction of the event from west to east did improve the overall conditions. He told the committee that approximately 3 to 4 thousand people were in the area of Charnwood Road and, as a result, he made the decision to shut down the bands performing there after 1 hour because of safety concerns. Next year, the police plan to deploy more officers on bicycles to patrol the event.

Chairwoman Rossetti asked Mr. Jenkins to discuss funding options for any added expenses with the city's Grant Department and to begin the application process earlier to allow more time for preparations. Chairwoman Rossetti requested Mr. Jenkins forward communication to the Committee upon finalization of renewed plans for next year's PorchFest event.

**RESULT:**

**WORK COMPLETED**

**208246: That the Administration explore the constituent suggestion that would allow designating streets as block party zones or car-free zones when a certain number of bands are registered during Porch Fest.**

See discussion of item #208247.

**RESULT:**

**WORK COMPLETED**

**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.**

**RESULT:**

**KEPT IN COMMITTEE**

**208476: That this Council's Committee on Licenses and Permits consider the attached amendment to Ordinance 9-31 regarding Wage Theft.**

The meeting was recessed at 7:18 PM and re-convened at 7:25 PM

Residents Penelope Taylor and Nate Clauser, along with Attorney Christopher Souris, (from Krakow, Souris and Landry), discussed the proposed ordinance. Chairwoman Rossetti stated that the Attorney General's Office is willing to have a representative attend a future meeting to discuss this item. Ms. Pappenheim stated that she had reviewed the proposal and it was her understanding was that she was in attendance to receive input on the matter.

The current wage theft ordinance was passed in June of 2013 and the document before the committee is being proposed as a replacement of that. The committee reviewed the proposal, line by line, (with the exception of Section 5) and made several edits, amendments and requests for clarifications and further information. Chairwoman Rossetti plans on taking this item up again after the summer recess. The Director of Purchasing has been invited to join in this discussion

The meeting was recessed at 8:47 PM and re-convened at 8:53 PM.

**RESULT:**

**KEPT IN COMMITTEE**