

Minutes of the February 28, 2017 meeting of the City of Chelsea Licensing Commission

Meeting opened at 6:01 p.m. by Chair Silvia Guzman (Guzman).

Commission members present: Michael McAteer (McAteer), Chair Guzman, James Guido (Guido), Roseann Bongiovanni (Bongiovanni) arrived at 6:05 p.m. and Vice Chair Mark Rossi (Rossi) Also present Captain Keith Houghton on behalf of Chelsea Police Department, City Solicitor Cheryl Watson Fisher and Assistant City Solicitor Amy Lindquist.

Vice Chair Rossi moved to adopt the minutes of the January 24, 2017 meeting. McAteer seconded. Vote Unanimous.

Clerk's Update/New Business:

New Licensing Administrator present. All other communications read, accepted and filed.

Chair opened the continued Public Hearing as to Pineda Restaurant Corporation d/b/a Rincon Latinos of 373 Washington Ave. in connection with an all Alcohol on Premise Beverage License and Public hearing to consider an application for an Amusement/Entertainment License. Attorney John L. Dodge appeared with Orlando "Noe" Pineda, Walter Guzman (manager) and Ricardo Pineda. Dodge explained his absence of the previous Licensing meeting on January 24, 2017. Dodge presented eight pictures to commissioners showing the outside premises as well as inside of the establishment. Noe Pineda stated he is seeking approval from the commission despite the history of the restaurant and previous owner under Fatima Restaurant. Chair opened the public speaking portion and no one spoke. The public speaking portion was then closed. Captain Houghton stated on December 16, 2016 he visited the restaurant and they were serving alcohol without a liquor license as stated in his report submitted at the last Commission meeting. Guzman questioned the incident. Attorney Dodge stated alcohol was not served to the public but to a friend. McAteer stated new Occupancy permit occupies 17 people including staff. Attorney Dodge mentioned inspector Rich Zullo from Inspectional Services Department inspected the establishment and passed inspection. McAteer agreed. Noe stated he has lived in Chelsea for 23 years and also has experience in a Bar establishment called Diva's in Everett MA. Rossi mentioned Noe is Director of Diva's Bar. Commission members questioned the request for entertainment given the size of the premises. Dodge withdrew the request for Karaoke and mentioned there are 8 cameras installed. Rossi moved to approve the liquor license subject to compliance with cameras and video surveillance for seven days a week Monday through Saturday 8:00 a.m. to 11:00 p.m. and Sunday 11:00 a.m. to 11:00 p.m. and approve the entertainment license for 2 TVs and one speaker to play music. Guido seconded. Vote Unanimous.

Chair opened the Public Hearing to consider an application for Amusement/Entertainment License to Homewood Suites by Hilton Chelsea at 145 Beech Street.

Attorney Karen Simeo and manager Chris Moulton appeared on behalf of the Hotel. Chair read the notice. Attorney proposed four T.V's in lobby area, radio, speakers and background music. Chair opened the public speaking portion. Sergio Jaramillo, President of the Chamber of Commerce, recommended the application to be approved. Public speaking portion closed.

Captain Houghton stated CORI's were approved and also by the ABCC for new managers. Rossi moved to approve license and McAteer seconded. Vote Unanimous.

Chair opened the Public Hearing to consider an application for All Kinds of Alcohol Beverages License to Holiday Inn 1012 Broadway Chelsea MA. Attorney Karen Simeo appeared on behalf of the Hotel. Attorney Simeo stated they expect to be open in a year and a half. The hotel will be a five floor structure, estimated of one hundred and twenty four rooms. Guido questioned parking spaces. Bongiovanni removed herself from the hearing at 7:05 p.m. Chair was concerned on how many licenses the commission has available to issue. Guido suggested approving a temporary license. Chair opened the public speaking portion. Sergio Jaramillo, President of the Chamber of Commerce, appeared and recommended the application to be approved.

Roy Avellaneda, 122 Bellingham St. had concerns over the potential of not going forward with the construction of the property, Maryann Winship, 62 Beacon St, suggested the license to be approved temporary three or six months. Public portion is closed. Captain Houghton stated he ran the CORI's everything is fine. McAteer stated there are sixty parking spaces in proposed plans to ISD. Simeo stated she is not involved with the construction of the building, but will look into it. Guido motioned to continuance on next meeting Rossi seconded motion. Vote unanimous.

Bongiovanni returned to the licensing hearing.

Chair opened the Public Hearing to consider an application for Amusement/Entertainment License to Pan y Café at 173 Washington Ave. Roy Avellaneda owner of Pan y Café proposed to the Commission to have an acoustic guitarist on Sundays 10 a.m. through 2:00 p.m. Chair opened the public speaking portion. Maryann Winship, 62 Beacon St, appeared and stated she is in favor and it will be a nice addition to the establishment. John Denning appeared and stated he is a regular customer, and will be a great addition. Aaron Garcia a local musician from Webster Ave stated he was in favor. Matt Frank, 61 Gillooly Rd, appeared and stated he is in favor. Zeda Hogan, 21 Revere St/ 174 Washington Ave, appeared and is in favor. Santos Sosa appeared and is in favor. Public portion closed. Guido questioned the hours. Rossi moved to grant the amendment to the entertainment license. Guido seconded. Vote Unanimous.

Chair opened the continued Public Hearing to consider a transfer application for an All Alcohol on Premise License to Blue Frog Sports at 168-170 Washington Ave. Attorney Aude Cote along with Mr. Ramos, Mr. Morales and Mr. Morales. Chair opened the public speaking portion. Santos Sosa and Daniel Sosa appeared on behalf of United Pentecostal at 172 Washington Ave a direct abutter, Santos spoke in Spanish while Daniel translated to English. Both stated they are concerned about the members of the church's safety and mentioned there have been a shooting at this location. He further states that patrons leaving the establishment appear intoxicated and members of the church are retired alcoholics and seek guidance from the church. His concerns are also directed to the young adults and children who attend the church, and feel as though patrons leaving the establishment may influence the children to speak profane language. He asked the Commission to consider not approving the transfer of license.

Maria Berber, 61 Shurtleff St, appeared and stated she has attended the church for 14 years and she is scared for her safety. She also stated someone has been killed in that area as well and is worried about the children's safety. Felipe Sosa, Fall River appeared with six (6) children that are members of the church and stated he is not in favor. Antonio Arevalo appeared and stated he has spoken to new owner, studied the area and is in favor of the license. Manuel Tesage, 93 Broadway, member of the church, stated the decision will affect the church members and would prefer the commission not to grant the license. John Denning, 62 Beacon, stated he has attended the licensing meeting often and never seen this establishment as a restaurant. Matt Frank City of Chelsea Councillor, 61 Gillooly St, stated the new ownership of this establishment wouldn't be any different from the previous owner. Public portion closed. Captain Houghton stated this establishment is shifting owners frequently. He mentioned the pending investigation against the prior management/owner that was discussed at the last hearing. He reminded the Commission that there has been drug deals and bartenders are known to remove evidence from past investigations. Chair questioned the establishment's management as to ownership as to the loose ties to current ownership/management. Attorney Cote stated previous owner Miguel Sanchez is not involved with the new owner and Mr. Sanchez is not allowed on the premises. Attorney Cote also stated his clients want to open a legitimate sports bar. Mr. Morales appeared and stated he has law enforcement experience and he is horrified from the past owner's establishment. Mr. Morales also stated he added more lighting and cameras throughout premises, and is hiring new staff. Rossi stated Mr. Morales should consider making a relationship with his abutters. Mr. Morales stated he is serving Italian and Puerto Rican food to be cooked by a Chef from Boston. Bongiovanni questioned operating hours 12:00 p.m.-12:00 a.m. Morales stated he will apply for an entertainment license but will remove the existing pool table from establishment and will propose T.V.'s and a projector. Rossi questioned the new manager with very little experience. Morales stated new manager has experience in the security of bars. McAteer appeared and stated the occupancy load is 65 people. Chair questioned if alcohol will be served with food. Morales stated he plans to monitor his establishment carefully. Rossi questioned rear egress access. Morales stated he will be putting one security guard in rear and one in front of establishment along with cameras. Bongiovanni suggested to amend the operating hours. Chair suggested closing at 11 p.m. Rossi made motion to approve the transfer of All Alcohol and approve Amusement Entertainment License, hours of operation 12:00 p.m. -11:00 p.m. seven days a week with video surveillance and lighting per the Chelsea Police Department and access for the police department. The video to be kept on a 30 day loop and no clientele to be in the parking lot longer than necessary to enter and exit the establishment. Bongiovanni seconded. Vote Unanimous.

Chair opened the Public hearing to consider an application for an All Alcohol Beverages License and an Amusement Entertainment License to Torres Angulo LLC d/b/a Los Agaves at 950 Broadway. Present Atty Serianes and Jose Torres. Guzman disclosed that she represented the seller in Torres' other location but could remain unbiased. Applicant stated that he wants to open a Mexican restaurant and that he has another restaurant in East Boston. He made it clear that it will be a family restaurant and not a bar. Chair opened Public Speaking portion. Sergio Jaramillo spoke in favor and mentioned how well run the other restaurant is operated. Matt

Frank felt that the notices to abutters were late and the time should be pushed back to 10:00 p.m. Atty Serianes filed her affidavit and green cards. Shavohn Balmic of 950 Broadway said he rec'd his notice and he notified the others in the building. He lives directly above the premises and has no problem except a concern about the noise. Donald Merse and family said they no problem if it is a family restaurant and has an issue with noise. Nicole in Unit 10 sated the same concerns. Randy Whitle has a concern with the smells that may go through the building. Public Speaking Closed. Houghton stated the CPD have no concerns. Mr. Torres stated he has ran his other restaurant since 2011 and it was in the Best of Boston magazine in 2015/2016 and his wife is member of the Chelsea Community. They would like entertainment 8 a.m. to 12:00 a.m. 6 TVs, Mariachi Friday and Saturday night and Karaoke. He has agreed to have a daily pick up on the waste removal and no smoking on the patio. Commission questioned about video surveillance and the need for amplification and noise level. Rossi moved to approve Alcohol License 8 a.m. to 11:00 p.m. seven days a week with outside seating to close around 9:00 p.m. with video surveillance and lighting. Bongiovanni seconded Vote Unanimous. Guido moved to approve entertainment license for 6 TVs and Mariachi Friday and Saturdays 6 p.m. to 8 p.m. and background music allowed. Bongiovanni seconded. Vote Unanimous.

Chair opened the Public Hearing as to the following Rule Changes:

- a. New rule as to Video Surveillance – Rule 2.09
- b. New rule as to Automatic Stays - Rule 1.18

The Legal Notice was read. Chair opened public speaking portion. No one spoke. Chair closed public hearing. Rossi said we already have discussed the rules then moved for adoption. Bongiovanni seconded. Vote Unanimous.

Hearing Adjourned at 9:40 p.m.

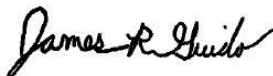
Adoption Date: 3/28/17



Silvia Guzman, Chair



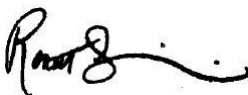
Mark Rossi, Vice Chair



James Guido, Member



Michael McAteer, Director ISD



Roseanne Bongiovanni, Member