

Minutes of the August 1, 2019 Meeting of the Chelsea Licensing Commission

Vice Chairman Guido called the meeting to order at 6:03 p.m.

Present were Commissioners McAteer, Vega, Guido and City Solicitor Fisher, Asst. City Solicitor Strehphon Treadway, Sgt. Nofle of CPD; absent was Commissioner Bongiovanni.

Guido took out of order the Name Change hearing for F1Motors. Guido opened the public hearing and the owner appeared and said that the reason for the application was that the Formula 1 racing filed a lawsuit because of name infringement. McAteer mentioned that 99% of the time they are using the parking lot in compliance of the permit.

6:05 Chair Rossi appeared in the meeting

Guido opened up for public speaking no one spoke and closed public speaking portion. Guido moved to approve the name change. McAteer seconded Vote Unanimous (Guido, Vega and McAteer voted).

Minutes of the June , 2019 meeting motioned to be accepted by Vega, seconded by Rossi and voted unanimously.

City Solicitor Fisher provided Clerk's updates on matters and communications which resulted in the following:

Three known Clubs without liquor licenses in Chelsea, 5/2 Club, Sagamore and Cary Square Club all received a communication to meet and to discuss the Law Dept's recommendation of moving into compliance. The Law Department would like a Home Rule Petition recommended to the City Council for three new club licenses that revert back to the City if not in use and cannot be sold. Commission asked for the Law Department to draft Home Rule Petition.

Verbal update as to Ciao Market Closing and Pollo Campero.

Communication from Attorney John Larsen Dodge seeking a settlement from the Commission as to the Decision to suspend and roll back the hours of Wings /El Corral, 408 Broadway, since no one was in attendance for the Licensee the matter was continued to next meeting.

Verbal update by Clerk as to Food Truck Festival and Asst. City Solicitor's update as to Chelsea Walk appeal mentioning hearing occurred and briefs due shortly.

Late Tobacco Renewals were provided and most of the licensees were in attendance. Chair Rossi stated that there was no excuse and next year be timely.

Public Hearing for appeal of a denial of taxi drivers' license to Henry Monsalve. Mr. Monsalve appeared and the Notice was read into the record. Mr. Monsalve submitted a copy of his Docket from Chelsea District court which was read by the Chair into the record. Sgt. Nofle was present and stated that since the matter was Nolle Prossed then he is okay with approving the license. Public Speaking open and closed. Chair moved to approve and Guido seconded it; vote unanimous.

Public Hearing for appeal of a denial of taxi drivers' license to Jose Mendoza. Mr. Mendoza appeared and the Notice was read into the record. Mr. Mendoza submitted a copy of his Docket from Chelsea District Court which was read by the Chair into the record. Sgt. Noffle was present and stated that since the matter was Nolle Prossed then he is okay with approving the license however cautioned if another incident occurred he will no longer agree to allow Mendoza. Public Speaking open and closed. Chair moved to approve and Guido seconded it; vote unanimous.

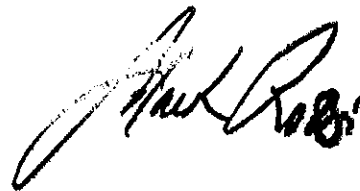
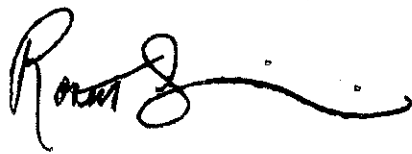
Public Hearing – La Esquina Mariachi Restaurant Inc., 170 Washington Ave., to consider Amusement and Entertainment License. Notice was read. Present for Applicant was Attorney Manigat and the licensee's manager, Elcide Perez. Mr. Perez stated they are not opened yet but ready and did not have his Entertainment license and would like it for TVs, karaoke, performers, jukebox, live shows, and comedy. Chair opened the public speaking and no one spoke so Chair closed public speaking. Commissioner Guido asked how many live shows and what type. Licensee said Mariachi bands; Rossi would like to limit live shows on the license. Officer Santiago stated that they have their cameras. Commissioner Vega discussed the windows not being darkened and need for baby steps in this neighborhood due to past situations. Guido made a Motion r to approve license for 5 TVs, Karaoke, Mariachi and comedy and jukebox, and Vega seconded. Vote was unanimous to approve.

Public Hearing – Western Front LLC, 121 Webster Avenue, to consider a Retail Marijuana Establishment. Present for Applicant Attorney Tim Flaherty and Dennis Benzan. Attorney Flaherty gave a brief opening statement as to who they are and where they are in application process and that they are a Certified Economic Empowerment Applicant. Attorney Fisher disclosed her relationship with the applicants and stated she will only speak generally about the Chelsea process. Chair opened the public speaking portion and the following people spoke in opposition: Anthony Bongiovanni, Gillooly Road, Mrs. Donna Bongiovanni, Gillooly Rd., Mr. Marino Webster Ave, Ms. Pam Butler, Webster Avenue, Ms. Gonzales Webster Avenue; Stan Troisi, Springvale Ave., and an email read from Albert Nash, Summit Ave. In favor, Mr. Harrison, Heard Street, Ms. Winship, Beacon Street, Jon Harris Summit Ave, Alex from Clark Ave, and Councilor Perlatonda, Clinton St.. Chair closed public speaking. Commissioner Guido clarified that the date given in the notice of public haring was correct just the wrong day of the week. City admitted that the error was on their part and that notifying the abutter was a curtesy not a requirement and that there had been approximately 5 public hearings/meetings on this location prior to this meeting. Guido said there is a lot of fear out there but this site has been vacant for a long time; its just retail not growing and recommended appointment only at beginning for about 3 months. Attorney Flaherty said they would be amenable to appointment only, and that they have a large queue area for waiting in the floor plans submitted and approved by Zoning. Guido asked about where are the deliveries and Flaherty mentioned on the side of the building and everything is in child proof packages. Chair Rossi asked about security and police and Flaherty mentioned 2 unarmed guards and they will reach out to Captain Houghton. Sgt. Noffle asked about a traffic study and parking has 145 shared spaces and Save a Lot has extra 50 spaces. Rossi asked about when they intend on opening and Flaherty said after issuance of building permit about 5 months. Vega mentioned they have to close at 9 but afterwards no hanging out and to monitor parking lot for people just hanging out. Rossi asked about the traffic

study and mentioned Webster Avenue a nightmare because of light at Rt. 16 and to explain study. Flaherty mentioned what the study found that there is a slight impact of traffic due to this use. Rossi asked about non-profit contribution and preference for hiring. Flaherty mentioned host agreement with the City and they will host a job fair. Rossi asked how long for CCCommission approval and Flaherty said they are fast tracked but no idea. Rossi mentioned continuation of the hearing however, McAteer is not available at next meeting. Asst. City Solicitor Treadway mentioned the Mullen Rule as to who may vote. Guido said lets vote and recommended that the first 90 days all sales are by appointment only and they have to come back to the Commission to address any issues before changing this condition. Vega motioned to approve Guido's recommendation of approval with 90 days appointment only and return to Commission to discuss concerns prior to changing the condition. Rossi seconded. Vote unanimously approved license.

Chair moved to adjourn.

Meeting adjourned – next meeting will be Thursday, September 12th, 2019 at 6 p.m. in the City Council Conference Room.



Michael McAteer

