



City of Chelsea
LICENSING COMMISSION
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Deborah A. Clayman
City Clerk

There will be a meeting of the Chelsea Licensing Commission on Tuesday, January 26, 2016, at 6:00 p.m., at the Chelsea Public Library Auditorium, 569 Broadway, Chelsea, MA.

AGENDA

- 1) Minutes of Licensing Commission meeting of December 15, 2015
- 2) New Business (any new business and other items not reasonably anticipated at the time of meeting posting)
- 3) Los Amigos Corporation d/b/a Restaurante Los Amigos
339 Broadway (public hearing re change of manager application and possible violations of Licensing Commission Rules and Regulations)
- 4) Cuzcatlan Restaurant Corporation
142 Broadway (public hearing re Restaurant/All Alcoholic Beverages License application)
- 5) Boston Comfort Suites, LLC
253-255 Chestnut St. and 21 Fifth St. (public hearing re Rooming House License application)
- 6) MOAG, Inc., d/b/a Curly's Falcons
158 Broadway (public hearing re transfer of Restaurant/All Alcoholic Beverages License application)
- 7) Anh Dao Thi Luu, d/b/a Wing's Restaurant
408 Broadway (public hearing re transfer of Restaurant/All Alcoholic Beverages License Application and Amusement/Entertainment License Applications)
- 8) Polish American Veterans of Chelsea Post #13
35 Fourth St. (public hearing re Special One Day Alcoholic Beverage License application)
- 9) Licensing Commission Rules and Regulations (conference re revisions discussion)

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December 15, 2015

Meeting of the Chelsea Licensing Commission commenced on this date at 6:00 p.m. at the Chelsea Public Library Auditorium, 569 Broadway, Chelsea, MA. Present: Chairperson Silvia Guzman, Commissioners Ken Umemba, Roy Avellaneda, and Mike McAteer. Rossi appeared late. Also present: City Clerk Deborah Clayman and Captain Keith Houghton of the Chelsea Police Dept.

Minutes of Licensing Commission meeting of October 27, 2015 were accepted and filed (Rossi absent).

Police report #15-3300-OF from Chelsea Police Dept re Heller's Liquor Mart at 429 Broadway re 7/26/15 incident was submitted. Conference will be scheduled.

8/16/15 Heller's communication – conference will be scheduled

7/17/15 incident report #15-2872-OF of Ed Noseworthy re Irish Club alcohol compliance check was submitted and tabled.

Rooming House License application of Boston Comfort Suites re 253-255 Chestnut St. was submitted. Guzman stated that the application is incomplete as no purchase and sale agreement was submitted with application. Avellaneda made motion to accept application as is; seconded by McAteer. On the motion: Avellaneda – yes; Umemba – yes; McAteer – yes; Guzman – no.

Petition of Anh Dao Thi Luu, d/b/a Wing's Restaurant of 408 Broadway to transfer all alcoholic beverage license was submitted. Public hearing will be scheduled.

Common Victualer License application of Wing's El Corral, Inc. was submitted. City Clerk will issue Common Victualer License.

October 13, 2015 communication of Juan Manotas on behalf of El Carriel of 9-11 Williams St. was submitted. Motion to accept, file and approve request was made by Avellaneda; seconded by McAteer. On the motion: Avellaneda – yes; Umemba – yes; McAteer – yes; Guzman – yes.

Application of MOAG, Inc., d/b/a Curly's Falcons of 158 Broadway for transfer of All Alcoholic Beverage License was submitted. Public hearing will be scheduled.

Amusement/Entertainment License application of Tijuana Mexican Restaurant of Broadway for jukebox was submitted. Clerk Clayman stated that this application request is in addition to the amusement/entertainment previously approved and licensed by the Commission. Avellaneda made motion to approve; seconded by McAteer. On the motion: Avellaneda – yes; Umemba – yes; McAteer – yes; Guzman – yes.

Amusement/Entertainment License application of Edson Coimbra of Ciao Pizza and Pasta of 59 Williams St. for radio entertainment was submitted. Avellaneda recused himself from discussion

re application. McAteer made motion to approve application; seconded by Umemba. On the motion: Umemba – yes; McAteer – yes; Guzman – yes.

ABCC communication of December 8, 2015 re 1/6/16 Plaza Mexico appeal hearing was accepted and filed.

Communication of 11/6/15 from Patricia Ridge on behalf of Blue Taxi, Inc. re transfer of taxicab operation licenses from Nelson Flores, Inc., d/b/a Service Taxi was submitted. Public hearing will be scheduled.

Public hearing commenced re New Year's Eve operating hours. No one appeared to speak during public speaking portion of the hearing. Public speaking portion of the hearing was closed. Avellaneda made motion to allow MGL 138, s. 12, license holders to remain open for business on December 31, 2015, New Year's Eve only, until 2:00 a.m.; seconded by McAteer. On the motion: Avellaneda – yes; Umemba – yes; McAteer – yes; Guzman – yes.

Conference commenced re Fatima Washington Deli of 373 Washington Ave. relative to change of manager application. Alexander Molina and Maria Luz Ochoa appeared on behalf of Fatima. Molina stated that he will be an employee and will be getting paid an hourly rate of pay. He stated that he is aware of the rules and regulations and has not signed up for any liquor training course as of yet. Umemba stated that portions of the application are signed by the wrong persons and requested that the applications be revised so that appropriate signatures be in order.

Captain Houghton stated that they have had prior issues and he is concerned that if they could not fill out a form correctly, how will they manage an establishment. He is concerned about the abruptness of the prior manager leaving the business. He is also concerned with the lack of experience. Avellaneda stated that he wants to make sure the proposed manager is aware of the rules and regulations. Guzman stated that this establishment is on the Commission's radar and on the radar of the police so he must be certain rules and regulations are complied with. Avellaneda made motion to approve application for change of manager with requirement that manager enroll in TIPS training program; seconded by Umemba. On the motion: Avellaneda – yes; Umemba – yes; McAteer – no; Guzman – yes.

Conference commenced re application for change of manager of Los Amigos, 339 Broadway. Morris Lopez and Jorge Guillermo Valeriano appeared on behalf of Los Amigos. Lopez stated that he bought the business from Galdamez. He was going to sell it to Manuel Mendez and has now changed his mind. Manuel gave him \$35,000 and he gave it back to him about three to four months ago. Lopez stated that he and Manuel are family. Valeriano stated he is going to be an employee and receive a pay check for being the manager.

Rossi stated that he would like to continue this matter to see additional paperwork. Umemba stated he agrees with Rossi. He wants to know more and is not comfortable acting on this application. Guzman questioned Manuel re whether or not he has any ownership interest in this business. Manuel did not answer Guzman. Rossi made motion to move this matter to a public hearing; seconded by Umemba. Guzman stated that Manuel Mendez of 373 Washington Ave.

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should be invited to the public hearing. On the motion: Umemba – yes; McAteer – yes; Rossi – yes; Guzman – yes (Avellaneda not present).

Public hearing re Restaurant/All Alcoholic Beverages License application of Cuzcatlan Restaurant Corporation of 142 Broadway commenced. Attorney David Mindlin appeared with Jose Galdamez, Ana Galdamez and Delme Galdamez. Avellaneda stated that he knows Attorney Mindlin and they have shared common clients as a real estate attorney. They have crossed paths but he thinks it would not impact his decision making tonight. Guzman stated that there are discrepancies on the application and that the application must be revised and resubmitted as a new application. Upon receipt of a revised application, a public hearing will be scheduled.

Public hearing commenced re Molina's Butcher Shop, Inc., d/b/a Rincon Hondureno re application for Restaurant/All Alcoholic Beverages License to do business at 194 Broadway. Attorney John Dodge appeared with Efrain Molina on behalf of Rincon Hondureno and stated that the business is at the front of the Knights of Columbus Building on Broadway. Mr. Molina purchased this establishment this fall and is now applying for an alcoholic beverage license. He intends to keep the alcohol in the rear of the premises and service the tables when requested. He may come back later and request to install a bar in the area but that is down the road. Mr. Molina has been a great member of the community. He has done very well in Chelsea and contributes a great deal to the city. Everyone knows him to be an honorable and upstanding businessman in the city. This is going to be a Honduran restaurant and he is happy to answer any questions. He is TIPS certified and his staff is TIPS certified.

Umemba stated he is concerned that Mr. Molina owns many businesses and questions whether or not he is going to be at the establishment often to which Attorney Dodge stated yes. He also owns Curly's Restaurant and Curly's Falcons, stated Dodge. Umemba stated it appears that there is a pledge involved as noted on page 2 of the asset agreement. Dodge stated all this man is trying to do is operate a business like he has done for the past 20 years. Don't question his motives.

Guzman stated this is a very common security agreement and if he defaulted this gives the authority to the owner of the property to take possession. Umemba stated that he is uncomfortable approving this application.

Avellaneda stated he didn't notice anything in the plan re surveillance cameras. Molina stated he would put them in. Guzman stated he might want to work with the police department re positioning of cameras.

Motion to approve application with requirement that staff be TIPS trained; cameras be installed that will be satisfactory to the police department and requirement that 21 day back-up video be available; seconded by McAteer. On the motion: Avellaneda – yes; Umemba – no; McAteer – yes; Guzman – yes.

Public hearing commenced re Shadow Hospitality, LLC, d/b/a Chelsea Station, 105 Everett Ave. re Restaurant/All Alcoholic Beverages License. Attorney John Dodge appeared with Michael Sheridan (manager) and Mark Nadow on behalf of Shadow Hospitality, LLC. This building is

the old fire station and bank and has been vacated for a long time. This will be a restaurant/bar and will have a dark and cozy atmosphere where people can go for lunch and/or dinner. There is no other restaurant in the City like this one which will be the first wonderful restaurant in the City and has a great location and will be a great source of pride. Sheridan will be the manager of the restaurant and has many years of experience in the restaurant/liquor industry. Nadow is from Mystic Brewery (owns 20% of Mystic Brewery) and he has also made a big investment in the city. They hope to have outside seating in the future and will eventually come before the Commission to request an Amusement/Entertainment License. Total occupancy may be about 180. Houghton stated that if occupancy is 100 or more, they are required to have a trained crowd manager and should contact the State Fire Marshall's office.

Rossi made motion to approve application subject to installation and maintenance of surveillance cameras with 21 day storage requirement and TIPS certification of alcohol beverage servers; seconded by Avellaneda. On the motion: Avellaneda – yes; Umemba – yes; Rossi – yes; McAteer – yes; Guzman – yes.

Public hearing commenced re New Officers/Directors and Transfer of Stock application of Colwen Management, Inc., d/b/a Residence Inn by Marriott-Chelsea/Boston, 200 Maple St. Attorney Karen Simao appeared on behalf of Colwen Management and stated that the requested changes do no impact the day to day operation of the business. Mr. Xarras is a long time employee of the company and is the sole shareholder. These changes impact the corporation structure but there is no change in day to day business.

Umemba stated that the application notes discrepancies re question 16 and 18 and at his request, Attorney Simao stated she will provide the Commission with an overview summary re shares and back up documents.

Avellaneda made motion to approve application; seconded by McAteer. On the motion: Avellaneda – yes; Umemba – no; Rossi – yes; McAteer – no; Guzman – yes.

Public hearing commenced re New Officers/Directors and Transfer of Stock application of Colwen Management, Inc., d/b/a TownePlace Suites by Marriott Chelsea, 30 Eastern Ave. Attorney Karen Simao appeared with Michelle Haselhuhn and Ashish Negi on behalf of Colwen Management and stated the situation re this application is the same as the previous public hearing in connection with the application of Colwen Management, Inc., d/b/a Residence Inn by Marriott-Chelsea/Boston, 200 Maple St. Attorney Simao agreed to submit additional documents for the Commission's review.

Umemba stated that he sees the same problems with this application and until he is satisfied re shareholder information, he will not vote in favor of the application.

Avellaneda made motion to approve application; seconded by McAteer. On the motion: Avellaneda – yes; Umemba – no; Rossi – yes; McAteer – no; Guzman – yes.

Public hearing commenced re 2016 Common Victualer License renewals. No one appeared to speak during the public speaking portion of the hearing. Public speaking portion of the hearing

was closed. Guzman made motion to approve submitted renewal applications; all others do not get renewed until they come before the Commission; seconded by Umemba. Umemba would like the police department to notify them prior to 12/31/15 that they must renew their license. Guzman stated that she doesn't think the police should expend their resources on reminding them. Rossi stated that he doesn't think the police should have to remind them, but thinks we should give them until 1/4/16 to renew. He stated that he believes the late filing fee of \$25 should be increased from \$25 per month. McAteer doesn't have any sympathy for the business owners but he is concerned about the employees who may be out of work pending issuance of a renewal license. Guzman withdrew her motion.

Rossi made motion to approve Common Victualer Licenses submitted with the condition that all licensees are in full compliance with all City regulations and any unlicensed establishment should be closed effective 1/4/16; seconded by McAteer. On the motion: Avellaneda – no; Umemba – no; Rossi – yes; McAteer – no; Guzman – no.

Public hearing commenced re 2016 Alcoholic Beverage License renewals. No one appeared to speak during the public speaking portion of the hearing. Public speaking portion of the hearing was closed. Rossi made motion to approve 2016 renewal affidavits for alcoholic beverages with the condition that all licensees are in full compliance with all City regulations; seconded by Avellaneda. On the motion: Avellaneda – yes; Umemba – yes; Rossi – yes; McAteer – yes; Guzman – yes.

Public hearing commenced re 2016 Amusement/Entertainment License renewals. No one appeared to speak during the public speaking portion of the hearing. Public speaking portion of the hearing was closed. Avellaneda made motion to approve 2016 Amusement/Entertainment License renewals with the condition that all licensees are in full compliance with all City regulations; seconded by McAteer. On the motion: Avellaneda – yes; Umemba – yes; Rossi – yes; McAteer – yes; Guzman – yes.

Public hearing commenced re 2016 Billiard/Pool Table License renewals. No one appeared to speak during the public speaking portion of the hearing. Public speaking portion of the hearing was closed. McAteer made motion to approve 2016 Billiard/Pool Table License renewal application with the condition that all licensees are in full compliance with all City regulations; seconded by Avellaneda. On the motion: Avellaneda – yes; Umemba – yes; Rossi – yes; McAteer – yes; Guzman – yes.

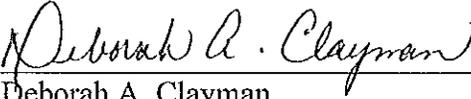
Public hearing commenced re 2016 Class I, II and III License renewals. No one appeared to speak during the public speaking portion of the hearing. Public speaking portion of the hearing was closed. Umemba made motion to approve 2016 Class I, II, III License renewal applications with the condition that all licensees are in full compliance with all City regulations; seconded by Avellaneda. On the motion: Avellaneda – yes; Umemba – yes; Rossi – yes; McAteer – yes; Guzman – yes.

Public hearing commenced re 2016 Rooming House License renewals. No one appeared to speak during the public speaking portion of the hearing. Public speaking portion of the hearing was closed. Umemba made motion to approve 2016 Rooming House License renewal

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applications with the condition that all licensees are in full compliance with all City regulations; seconded by Avellaneda. On the motion: Avellaneda – yes; Umemba – yes; Rossi – yes; McAteer – yes; Guzman – yes.

Meeting adjourned at 9:30 p.m.



Deborah A. Clayman
City Clerk

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DATE 01/20/15 BY 60322 UCBAW