

**MINUTES
LICENSE COMMISSION MEETING
MAY 28, 2014**

A REGULAR MEETING OF THE Revere License Commission was called to order by Chairman Joseph W. Quarantello, Jr. at 3:00 p.m. on May 28, 2014. Vice Chairperson Linda Guinasso, Commissioner John M. LaCroix, Police Lt. Sean Randall, Liaison with the Revere License Commission, and Maggie Haney, Recording Secretary, present.

Vote to accept Minutes: Vote to accept the Minutes of 4/16/14 and 4/25/14.

Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner LaCroix, it was VOTED to approve the minutes.

VOTED ON THE FOLLOWING APPLICATIONS SUBMITTED FOR CONSIDERATION

Fiesta Shows

15 Pine Street
Seabrook, NH
John Flynn, Manager

Application for a Carnival License: Application of Fiesta Shows, 15 Pine Street, Seabrook, NH, John Flynn, Manager, for a Carnival License to be exercised at the North lot on Ocean Avenue, Revere, MA, from July 10, 2014 through July 13, 2014, with requested hours of operation being 1:00 p.m. – 11:00 p.m.

The application was incomplete. This matter was continued until the next regular meeting.

Courtyard Donuts, Inc.
d/b/a **Dunkin Donuts**
555 North Shore Road
Ken Frankel, Manager

Application for Alteration of Premises for Outside Dining and Change of Hours: Application of Courtyard Donuts, Inc. d/b/a **Dunkin Donuts**, 555 North Shore Road, Revere, Ken Frankel, Manager, for a change of hours from 5:00 a.m. until 11:00 p.m. to 4:00 a.m. until 12:00 a.m., and to allow outside dining on a patio. Outside dining would increase the number of seats by 12, in addition to the seating for 10 inside.

Michele Lawlor and Ken Frankel appeared for the application. The proposed patio would contain three tables with four seats each, and would be fenced in, and only accessible through the shop. Both the patio and the extended hours were represented as being at the request of customers, with the extended hours requested by people driving to the airport. Questions regarding parking and deliveries were addressed to the satisfaction of the Commission. As the shop is in a non-residential area, the main concern was for safety.

There were neither proponents nor opponents when called. Upon a motion duly made by Commissioner LaCroix, and seconded by Chairman Quarantello, it was VOTED to approve the application, contingent upon the provision of satisfactory fencing and safety barriers.

The following two matters were taken together.

RMG Donuts, LLC
d/b/a **Dunkin Donuts**
1 Bennington Street
Ken Frankel, Manager

Application for a Change of Hours: Application of RMG Donuts, LLC d/b/a **Dunkin Donuts**, 1 Bennington Street, Revere, Ken Frankel, Manager, for a change of hours from 5:00 a.m. until 11:00 p.m. to 24 hours.

Courtyard Donuts, Inc.
d/b/a **Dunkin Donuts**
90 American Legion Highway
Ken Frankel, Manager

Application for a Change of Hours: Application of Courtyard Donuts, Inc. d/b/a **Dunkin Donuts**, 90 American Legion Highway, Revere, Ken Frankel, Manager, for a change of hours from 5:00 a.m. until 11:00 p.m. to 4:00 a.m. until 12:00 a.m.

Michele Lawlor and Ken Frankel appeared for the applications. The rationale for changing the hours at 90 American Legion Highway is airport traffic, as well as truck drivers, EMTs, and general early birds. The Commission expressed concerns about the residential character of the neighborhood, and the timing of deliveries, and Ms. Lawlor replied that deliveries have been changed to afternoons to accommodate the neighbors, and that they have a good relationship with neighbors. Councillor Ira Novoselsky spoke in opposition to both applications. He said that 24-hour operations are a bad idea in general, as they create a ‘hang-out’ area, and encourage an increase in crime. On the matter of 90 American Legion Highway, he agreed that such an early hour would be disruptive in a residential area.

Commissioner LaCroix offered a dissenting opinion, stating that businesses in general have been expanding their hours, and that the shop on 90 American Legion Highway should be allowed to accommodate that clientele. He moved to approve the application for 90 American Legion Highway. Commissioner Guinasso moved to deny it. After further discussion, Chairman Quarantello, citing the existing traffic, and the nearby ball fields, seconded the motion to approve the application. It was therefore VOTED to approve the application for 90 American Legion Highway, with Commissioner Guinasso voting in opposition.

Chairman Quarantello then moved to deny the application at 1 Bennington Street, citing the troubles that have been plaguing that immediate neighborhood. Ms. Lawlor contended that her experience with other 24-hour operations has decreased crime in their neighborhoods. Lt. Randall reported that the area is one with a high call rate to the Revere Police, and that it does not seem a good place for a 24-hour operation.

There were no further opponents, and no proponents when called again. Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner Guinasso, it was VOTED to deny the application for 1 Bennington Street.

Taqueria & Pupuseria Restaurante La Familia, Inc.

341 Broadway
Maria Fuentes, Owner
Jose Edis Cruz, Manager

Application for a Common Victualler License: Application of **Taqueria & Pupuseria Restaurante La Familia, Inc.**, 341 Broadway, Maria Fuentes, Owner, for a Common Victualler license. Said license is to be exercised at 341 Broadway, serving Hispanic and American food, with requested seating for 22, and requested hours from 6:00 a.m. to 10:00 p.m.

Mrs. Maria Fuentes appeared for the application with her son and her husband, Jose. She plans to open a family-style restaurant with her husband, who has had 20 years experience in the restaurant business in Boston. The proposed location is not yet renovated.

There were neither opponents nor proponents when called. Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner Guinasso, it was VOTED to approve this application, contingent upon final inspection approvals.

The Biker’s Outfitter, Inc.

1039 Broadway
Hrair Harry Darian, Owner and Manager

Application for a Class 1 Motor Vehicle License: Application of **The Biker’s Outfitter, Inc.**, 1039 Broadway, Revere, Hrair Harry Darian, Owner and Manager, for a Class 1 Motor Vehicle license to sell motorcycles. Said license would be exercised at 1039 Broadway, and the requested number of vehicles will be 50 motorcycles, all displayed inside.

Attorney James Cipoletta represented the applicant. He presented the results of his research into the business’s erratic history of permitting and licensing. There followed a period of confusion as to the nature of the license being sought, and the distinction between Class 1 and Class 2 motor vehicle licenses. Eventually, it was established that the applicant sought a Class 1 motor vehicle license, which allows for the sale of used motor vehicles as incidental to the business of selling new vehicles. When not displayed, the motorcycles will be stored in a building or a fenced-in lot in the back. There are five spaces for customers, which will remain clearly marked. The operating hours would be from 9 a.m. – 6 p.m. seven days a week.

There were neither opponents nor proponents when called. Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner LaCroix, it was VOTED to approve the application.

Hashmat A. Rauf
d/b/a **Express Food Shops**
288 Broadway
Gabriel Rivera, Manager

Application for Renewal, Change of DBA and Change of Manager: Application of Hashmat A. Rauf d/b/a Express Food Shops, Gabriel Rivera, Manager, for license renewal, change of dba to **Puerto Colombia**, and change of manager to Gabriel Rivera.

Applicant was neither present nor represented when called. The matter was continued until the next regular meeting.

Taqueria Eucalipto II Corporation
d/b/a **Taqueria Eucalipto Mexican Restaurant**
107 Shirley Avenue
Raul Santos, Manager

Application for a Change of DBA: Application of Taqueria Eucalipto II Corporation d/b/a **Taqueria Eucalipto Mexican Restaurant**, 107 Shirley Avenue, Revere, Raul Santos, Manager, for a change of DBA to **Las Vegas Restaurant**.

Raul Santos appeared for the application. The change will be to the name only, and all other business aspects will remain the same. Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner Guinasso, it was VOTED to approve the application.

REVIEW HEARING:

Review hearing of Taqueria Eucalipto II Corporation d/b/a **Taqueria Eucalipto Mexican Restaurant**, 107 Shirley Avenue, Raul Santos, Manager, to consider the establishment's record during its ninety-day rollback of closing hour, and evaluate the decision to end the rollback on June 10th.

Raul Santos appeared for the hearing. He has been working with his security people, refusing entrance to intoxicated people, and hewing to a strict closing time. Lt. Randall reported that, having reviewed police logs, spoken to night shift patrollers, and made two surprise nighttime inspections himself, that there have been no issues. Directed patrols have found the establishment in compliance with closing hours. Councillor Ira Novoselsky spoke in favor of the establishment. He knows of no current problems and believes they should be given a second chance.

Upon a motion duly made by Chairman Quarantello, and seconded by Commissioner Guinasso, it was VOTED to return the closing hour to 2:00 a.m., effective June 10th, contingent upon there being no issues with the Revere Police department in the interim.

SHOW CAUSE HEARING:

Show Cause Hearing for MFRP Corp. d/b/a **The Squire**, 604 Squire Road, Peter DePesa, Manager, regarding their failure to engage police details on Thursday through Saturday nights as required by the License Commission in their last Show Cause hearing. **This matter was continued from the meeting of 4/16/14.**

Attorney Lawrence Simeone and Robert DePesa appeared for the hearing. The management has been in communication with Revere Police and has added a detail officer on Thursdays as required. Attorney Simeone discussed the evolution of the business and the cultivation of a different market base: businesses and couples. As part of that effort, he feels that communication with the police is even more important.

Discussion turned on metal detectors. Previously, there had been an archway metal detector installed in the doorway. That detector is long gone. At the present time, the establishment is using metal-detecting wands for safety. Lt. Randall reported that, while an archway metal detector would be a better solution, the Revere Police considers the wands an acceptable alternative.

The Commission directed that the establishment should continue to use the wands, should provide the office of the Commission with details regarding the training employees receive in wand use, and maintain open communication with the Revere Police Department.

SHOW CAUSE HEARING:

Show Cause Hearing for Fedal Lahsane d/b/a **Assalam Market**, 1559 North Shore Road, Revere, Fedal Lahsane, Owner and Manager, regarding a pattern of fire safety violations and numerous health, plumbing and gas safety violations.

Fedal Lahsane appeared for the hearing. He contended that whenever he was notified of any issues by inspectors, he fixed them, and that his violations were from ignorance of the rules, or were minor mistakes such as overlapping an exit door with boxes by only a few inches. He assured the Commission that he would take better care.

Dan Maniff, Fire Inspector, said that this establishment has been an ongoing problem for over six months. He has had issues with grease, blocked hood, cooking equipment, and the egress door being locked during business hours. He does not feel that the owner should be serving food.

Mark Locke, Plumbing & Gas Inspector, reported of eight citations sent to the building's owner since last June, and that the owner said he sends the tickets to Mr. Lahsane. Mr. Locke listed issues including the illegal removal of a handicapped bathroom and work on gas equipment and plumbing equipment without permits. He considers that the gas work, in particular, creates a serious risk of gas leak and possible explosion. He finds the owner intractable about these issues. There was also discussion of the occupancy permit's validity, but that was set aside in view of the more immediate issues being raised.

Chairman Quarantello described this as a matter of a blatant disregard for the inspectors and their findings. He directed Mr. Lahsane to meet with the Plumbing, Health, and Fire inspectors by Friday, June 6th, and gave him 30 days to fix any and all violations that they require. As Mr. Locke considered the gas problem to be one of greater urgency, and the Commission agreed, it was determined that Mr. Lahsane would retain a plumber that night or the next morning, so that the gas could be tested, and, if leaks were found, repaired. Until the gas inspection, and any necessary repairs, the kitchen would remain closed.

Revere House of Pastry, Inc.

139 Shirley Avenue, Number 141
Fedal Lahsane, President & Manager

Application for Common Victualler License: Application of **Revere House of Pastry, Inc.**, Fedal Lahsane, President and Manager, for a Common Victualler license, said license to be exercised at 139 Shirley Avenue, Number 141, from the hours of 6:00 a.m. through 10:00 p.m., serving bakery/café food, with requested seating for 22.

Fedal Lahsane appeared for the application. Councillor Ira Novoselsky spoke in favor of the application. In light of the fact that the applicant has not yet received inspection approvals, and in view of the difficulties currently prevailing at Mr. Lahsane's other business, it was decided to continue this matter until the next meeting.

COMMUNICATIONS:

1. Form 43 from Massachusetts Alcoholic Beverages Control Commission approving a malt/wine restaurant license for RDG Martone, Inc. d/b/a **Figaro's**, 425 Revere Beach Boulevard.
2. Form 43 from Massachusetts Alcoholic Beverages Control Commission approving a change of officers/directors and manager for NAI Entertainment Holdings, LLC d/b/a **Showcase Cinema Revere Chatter's Bar**, 565 Squire Road.
3. Form 43 from Massachusetts Alcoholic Beverages Control Commission approving a malt/wine package store license for **Squire Road Station, Inc.**, 174 Squire Road.
4. Form 43 from Massachusetts Alcoholic Beverages Control Commission approving a change of officers/directors for **Beachmont VFW Post #6712, Inc.**, 150 Bennington Street.
5. Form 43 from Massachusetts Alcoholic Beverages Control Commission approving a wine/malt/cordial restaurant license for Maekha Thai, LLC d/b/a **Maeka Thai Restaurant**, 163 Squire Road.

All communications were accepted and placed on file.

LICENSE RENEWALS FOR 2014

Common Victualler

7-Day Store, Inc., 668 Winthrop Avenue
Fedal Lahsane d/b/a Assalam Market, 1559 North Shore Road

Innholder/Hotel

Logan Hospitality Associates, LLC d/b/a Four Points Sheraton Boston Logan Airport, 407 Squire Road

It was unanimously VOTED to approve all renewals, with the exception of **Assalam Market**, which was continued due to the inspection issues.

It was unanimously VOTED to schedule the next regular meeting on June 18, 2014, at 3:00 p.m. in the Council Chamber.

Following the foregoing, there being no further business to come before the Board upon Motion duly made and seconded, it was VOTED to adjourn the meeting at 5:00 p.m.

Joseph W. Quarantello, Jr., Chairman

Maggie Haney, Recording Secretary

Minutes of the meeting of May 28, 2014