

Legal Notice

New Hearing



TOWN OF BURLINGTON
SELECT BOARD
Notice of Public Hearing

The Burlington Select Board hereby gives notice that it is holding a public hearing on **Monday, October 25, 2021 at or after 6:30 P.M.** to be held at Town Hall, 29 Center Street, Burlington, MA, in the second floor main meeting room and virtually/remotely, to consider the application of Rosa Mexicano Burlington LLC (d/b/a Rosa Mexicano) for a new, Special Legislation, All Alcohol Liquor License pursuant to Chapter 9 Acts of 2020 per MGL Chapter 138 and for a Common Victualler's License per MGL Chapter 140 as well as approval of manager for the alcohol license. Rosa Mexicano proposes to operate a full-service restaurant which will offer food and beverage services at 75 Middlesex Turnpike (Unit 1015-C/Burlington Mall), Burlington, MA.

The plans will be available on the Town's website: <https://www.burlington.org/556/Public-Hearings>

Select Board public hearing notices are printed in the Burlington Daily Times Chronicle and may also be downloaded from the following site: <https://www.masspublicnotices.org/Search.aspx>

The hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast. Agenda and Webex link will be posted 48 hours in advance on the Town's Calendar: <https://www.burlington.org/calendar.aspx?CID=14>

SELECT BOARD
James M. Tigges, Chairman
Nicholas C. Priest, Vice Chairman
Robert C. Hogan
Michael S. Runyan
Joseph E. Morandi

Emailed to Daily Chronicle October 14, 2021

**THIS IS A TIME SENSITIVE NOTICE AND MUST BE
PUBLISHED ON: Friday, October 15, 2021**

(Please contact Betty McDonough c/o Select Board's Office 781-270-1850 with any questions)

Bill to be submitted to: Riemer & Braunstein LLP,
700 District Avenue, 11th Floor
Burlington, MA 01803
MCushing@riemerlaw.com 617-880-3548

October 12, 2021

VIA HAND DELIVERY

Paul Sagarino
Town Administrator
Town of Burlington
Town Hall
29 Center Street
Burlington, Massachusetts 01801

Re: Liquor License Application, Rosa Mexicano Burlington LLC
75 Middlesex Turnpike, Burlington, Massachusetts (Burlington Mall/Unit #1015-C)

Dear Paul:

As you are aware, this office and the undersigned represent Rosa Mexicano Burlington LLC d/b/a Rosa Mexicano ("Licensee") concerning their intention to operate a new full-service restaurant at 75 Middlesex Turnpike (Unit #1015-C/Burlington Mall) ("Premises"). As a follow-up to discussions this office has had with Town Counsel Lisa Mead, the Licensee is making application for a new, All-Alcohol Liquor License pursuant to Chapter 9 Acts of 2020 as well as the issuance of a Common Victualler License.

Rosa Mexicano is a full-service restaurant operation specializing in regionally inspired Mexican cuisine. The Licensee has extensive experience in this industry as it has numerous restaurant locations across the United States. The proposed Burlington facility will be their second restaurant in Massachusetts and will occupy the tenant space most recently occupied by Besito Restaurant. The Premises will be improved with new décor, a modified seating layout and the extension of seating on a newly constructed patio which will be enclosed with a pergola. The Licensee has had its special permit hearing with the Planning Board, which special permit was approved by the Planning Board. For your consideration of the noted Liquor License request, we have enclosed one original and one copy of the Liquor License application as well as the General License application materials and ten (10) copies of the floor plan.

We would respectfully request that this matter be scheduled for a hearing with the Board of Selectmen on October 25, 2021.

Paul Sagarino
October 12, 2021
Page 2

In the interim if you need any additional information please do not hesitate to contact me.

Very truly yours,



Mark T. Vaughan

MTV:mmc
Enclosures

Cc: Steve Weissman, Rosa Mexicano Company (w/enclosures)
Justin Feldhouse, Simon Property Group (w/out enclosures)

2840987.2



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR A NEW LICENSE

Municipality

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
<input type="text" value="On-Premises-12"/>	<input type="text" value="\$12 Restaurant"/>	<input type="text" value="All Alcoholic Beverages"/>	<input type="text" value="Annual"/>

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

The Licensee is proposing to operate a full service, Mexican-style restaurant at the former Besito restaurant location at the Burlington Mall and is requesting the issuance of an annual, All-Alcohol License.

Is this license application pursuant to special legislation? Yes No Chapter Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name	<input type="text" value="Rosa Mexicano Burlington LLC"/>	FEIN	<input type="text" value="87-1167536"/>
DBA	<input type="text" value="Rosa Mexicano"/>	Manager of Record	<input type="text" value="Gregory Sherman"/>
Street Address	<input type="text" value="264 W. 40th St., 18th Floor, New York, NY 10018"/>		
Phone	<input type="text"/>	Email	<input type="text" value="1"/>
Alternative Phone	<input type="text"/>	Website	<input type="text" value="www.rosamexicano.com"/>

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

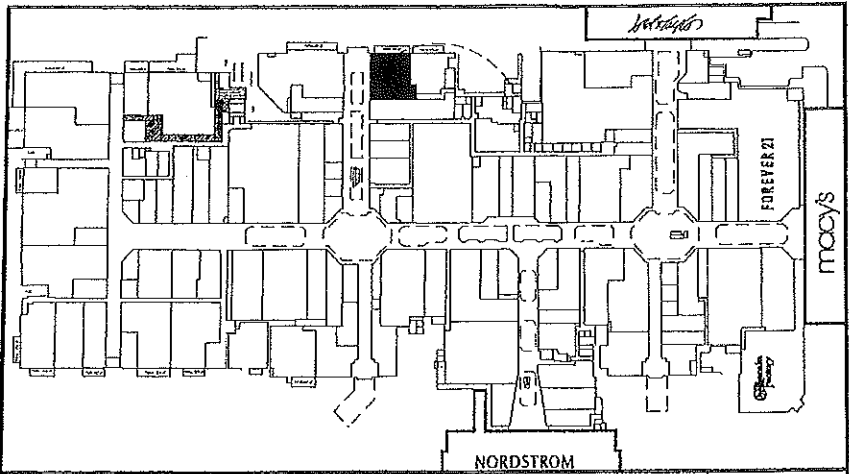
The premises is comprised of a single story, 3,392+/-sf restaurant with two interior dining areas (131 seats), restrooms, kitchen, storage, employee areas and a 575+/- sf patio with 36 seats as provided on the floor plan (Total floor area: 3,967+/- sf net and 5,452+/- sf gross). The interior space will be reconfigured and the outdoor dining area is to be constructed as part of this project.

Total Square Footage:	<input type="text" value="3,967+/- sf net"/>	Number of Entrances:	<input type="text" value="2"/>	Seating Capacity:	<input type="text" value="167"/>
Number of Floors	<input type="text" value="1"/>	Number of Exits:	<input type="text" value="4"/>	Occupancy Number:	<input type="text" value="188"/>

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name:	<input type="text" value="Mark T. Vaughan, Esquire"/>	Phone:	<input type="text" value="617-880-3457"/>
Title:	<input type="text" value="Attorney"/>	Email:	<input type="text" value="mvaughan@riemerlaw.com"/>

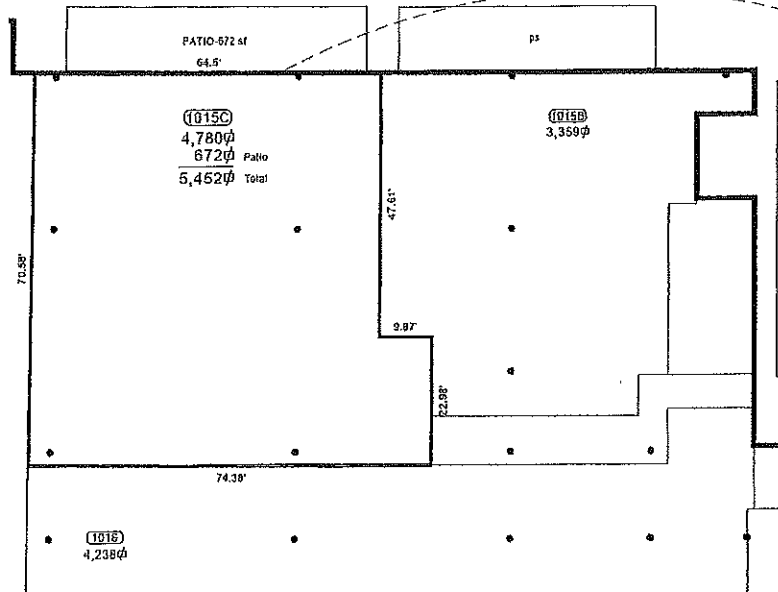


BURLINGTON MALL

TSD# 1015C-5
Level: 01



Simon Property Group
225 W. Washington St.
Indianapolis, In 46204

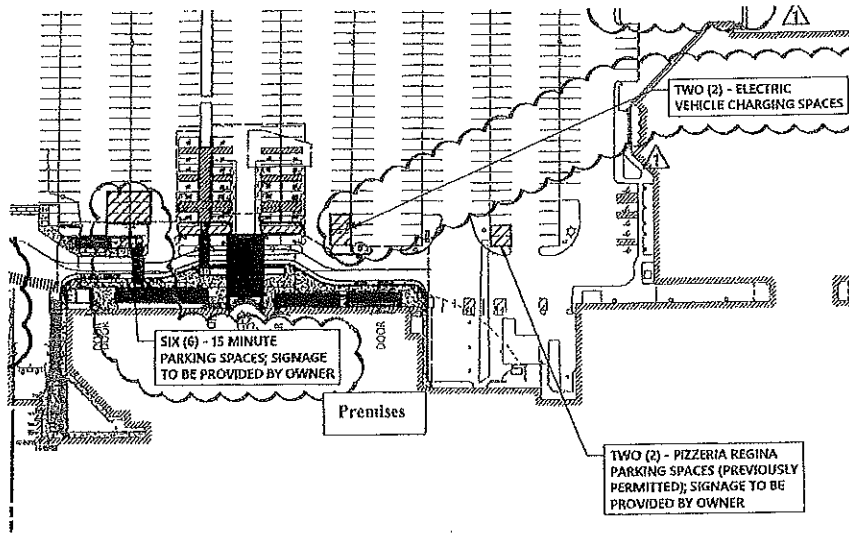


31/24/2019 10:47:10 AM
This information is confidential and a proprietary trade secret of the Landlord and may not be copied, distributed, published or disclosed without prior written permission. Landlord reserves the right to design, change, alter or modify (without prior written notice) the site and configuration of any or all of the Center or any of the buildings, pavilions, walkways, malls, courtyards, fountains, ponds, pools, and other features or common areas located on the site, including, but not limited to, the identity, size, configuration, location or appearance of any of the foregoing. This document does not constitute any contract or obligation by the Landlord. Landlord has no representation or warranty regarding the Center, any pavilions, contained therein, or the accuracy of the information contained in this document. It is the responsibility of Tenant or Tenant's contractor to fully verify existing conditions and dimensions.

DBA Name:		Date: 12/03/2020 11:27
Unit No.	1015C	Scale: 1" = 20'
Leasing Agent:		Corp. No. 4822

EXHIBIT "A"

NON-EXCLUSIVE CARRYOUT PARKING



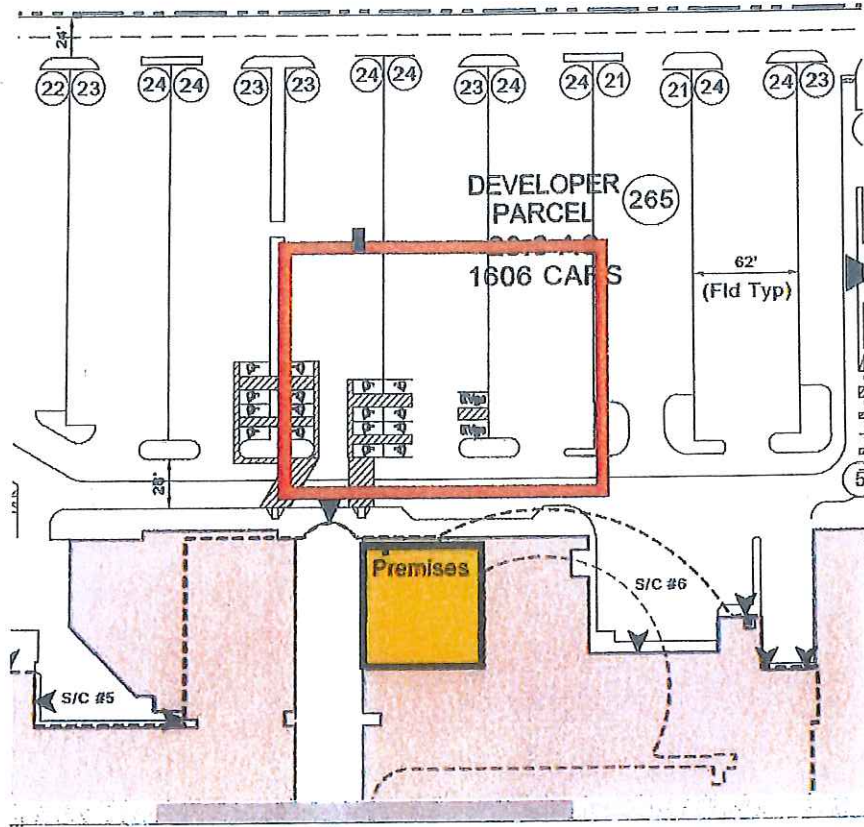


EXHIBIT "A-2"