

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR NICOLE MURATI FERRER

FIRE CHIEF GERALD REARDON

POLICE COMMISSIONER ROBERT HAAS

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

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AT: Cambridge Police  
Robert Healy Public Safety Building  
125 Sixth Street  
Community Room  
Cambridge, Massachusetts

DATE: Tuesday, April 19, 2016

TIME: 4:15 p.m.

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P R O C E E D I N G S

April 19, 2016

EXECUTIVE DIRECTOR ELIZABETH LINT:

Before we get started if anyone has a cell phone on, we would appreciate it if you silenced it.

This is License Commission Hearing, 4:15 p.m. We are in the Robert Healy Public Safety Building, 125 Sixth Street, Community Room.

Before you are Commissioners: Chair Nicole Murati Ferrer, Chief Gerald Reardon, Commissioner Robert Haas. The meeting is being audio and videotaped.

CHAIR NICOLE MURATI FERRER: Before we start, I heard someone wants to say something.

Right here is good. That way the stenographer can hear you.

State your name and spell it for the record.

MICHAEL GERVAIS: My name is Michael

Gervais, G-E-R-V-A-I-S. I came here representing a small room. We just came tonight. I live at 60 Mt. Vernon Street in Somerville. I drive a taxi in the City of Cambridge for a long time now.

I came here today to, well, as a representative of the cab industry and some 1200 members or whatever, and owners of the like.

We came here to basically kind've honor Commissioner Haas and let him know that when he took the job, the city wasn't in great shape. He did a lot for the city. And he was kind've a partner with the cabs for a while.

And so we appreciate all that he has done. And so, people have not forgotten what you have done, and you are a man of integrity and we enjoyed having you with us. And you are not going to be with us much longer, as we heard, so just a short message before you leave, I hope

maybe you could say a few things before you leave to the right people. We don't have to tell you who, and that perhaps you can do a little about enforcement and ideas because nobody knows better than you do what needs to be done.

And you are -- the person coming after you has got some very, very, very big shoes to fill, which is going to really, really, really going to be missed.

POLICE COMMISSIONER ROBERT HAAS: I appreciate that, Michael.

Thank you, Michael.

MICHAEL GERVAIS: Thank you from all of us.

CHAIR NICOLE MURATI FERRER: Thank you, Mr. Gervais.

**APPLICATION: CTOWN, LLC D/B/A HAUTE COFFEE**

EXECUTIVE DIRECTOR ELIZABETH LINT: Okay.  
Application: CTown, LLC doing business as Haute



Coffee, has applied for a common victualler license at One Canal Park with a seating capacity of 34 inside and 8 seasonal patio seats on private property with proposed hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday, Robert Scott as proposed manager of record. Premise is described as 1,700 square feet on ground floor of office building.

CHAIR NICOLE MURATI FERRER: Good afternoon.

Please state your names for the record.

ROBERT SCOTT: Sure. I'm Robert Scott and this is my wife is Kimberly Scott.

CHAIR NICOLE MURATI FERRER: Tell us a little about Haute Coffee or how do you say it actually?

ROBERT SCOTT: Haute (pronounced Hoat).

This will be our second store. We currently have a storefront in Concord. And it's

basically a small high-end coffee shop that features a lot of local produce and stuff for our breakfasts and lunch and are our big draw is our homemade bake goods.

CHAIR NICOLE MURATI FERRER: What kind of goods are you homemaking?

ROBERT SCOTT: We have granola bars.

KIMBERLY SCOTT: Granola bars, cookies, scones.

ROBERT SCOTT: Cupcakes. You know, the whole...

CHAIR NICOLE MURATI FERRER: I have a question. The hours of operations, they're different on Saturday, 8 to 5, or are you also keeping that --

ROBERT SCOTT: 8 to 5 on Saturday.

CHAIR NICOLE MURATI FERRER: Okay. And then the other day is 7 to 6 and closed on Sundays?

ROBERT SCOTT: Correct.

CHAIR NICOLE MURATI FERRER: And I saw that you also applied for an entertainment license. I don't think it made the agenda, but for the record, it was filed together, and it includes typographical, I guess, or transcription error on our staff, and it's just basically for below conversational level music?

ROBERT SCOTT: Yeah, a little background music.

POLICE COMMISSIONER ROBERT HAAS: How long has the store been open in Concord?

ROBERT SCOTT: It will be three years in September.

POLICE COMMISSIONER ROBERT HAAS: It has been successful over there.

ROBERT SCOTT: We have been lucky and we're happy to expand, yes. Concord is great. We think Cambridge and Concord have similar

clientele, so we're excited to go into Cambridge.

POLICE COMMISSIONER ROBERT HAAS: Good.

FIRE CHIEF GERALD REARDON: Are you close to the commuter rail in Concord?

ROBERT SCOTT: We're actually more like in Concord center, so maybe half a mile away. There is a commuter rail.

FIRE CHIEF: So this is a new build-out for this location?

ROBERT SCOTT: Yes. We'll be the first.

FIRE CHIEF GERALD REARDON: Okay. So have they started construction yet?

ROBERT SCOTT: So it's a five-story office building. The offices are awful. Ours is just a blank space. We haven't started yet, we're waiting.

FIRE CHIEF GERALD REARDON: You're going to put a kitchen facility in?

ROBERT SCOTT: Correct.

FIRE CHIEF GERALD REARDON: No  
fryolators?

KIMBERLY SCOTT: No.

FIRE CHIEF GERALD REARDON: A lot of  
issues with the exhaust hoods when you get in  
fryolators, especially building that size trying  
to vent it.

ROBERT SCOTT: We're -- like I said, 90  
percent of our kitchen which is baking.

KIMBERLY SCOTT: It's sandwiches, avocado  
toast, but no frying.

ROBERT SCOTT: We don't fry anything.

FIRE CHIEF GERALD REARDON: So you still  
have a ways to go in terms of...?

ROBERT SCOTT: Yeah.

POLICE COMMISSIONER ROBERT HAAS: When do  
you plan on opening?

ROBERT SCOTT: Summer is kinda the goal.

POLICE COMMISSIONER ROBERT HAAS: The

beginning of August, September?

ROBERT SCOTT: Somewhere in there.

Coffee shop build-outs are quicker than a whole restaurant.

FIRE CHIEF GERALD REARDON: All set.

POLICE COMMISSIONER ROBERT HAAS: Good.

CHAIR NICOLE MURATI FERRER: Anyone in favor of these petitions?

Anyone in opposition to these petitions?

I vote to grant.

POLICE COMMISSIONER ROBERT HAAS: Second.

FIRE CHIEF GERALD REARDON: Second.

CHAIR NICOLE MURATI FERRER: Granted.

All set.

**APPLICATION: PAPI'S STUFFED SOPAPILLAS, LLC**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Papi's Stuffed Sopapillas, LLC has applied for a peddler vendor's license to operate a mobile food truck at 32-34-36 Cambridgepark

Drive on Mondays from 11:00 a.m. to 3:00 p.m. and  
1 Rogers Street on Thursdays from 11:00 a.m. to  
3:00 p.m.

CHAIR NICOLE MURATI FERRER: Good  
afternoon.

Please state your name for record and  
spell it as well.

Thank you.

JASON MELMAD: Jason Melmad, J-A-S-O-N,  
M-E-L-M-A-D.

CHAIR NICOLE MURATI FERRER: And can you  
tell us about Papi's Stuffed Sopapillas?

JASON MELMAD: We're a food truck  
currently operating in Cambridge. And last year  
we were strictly in Boston and Somerville. So  
we're looking forward to expanding a little bit.  
And we serve new Mexican style food. So  
sopapillas are not commonly not found around  
here, and I found out that they're really popular

among the Cambridge crowd.

CHAIR NICOLE MURATI FERRER: So are they like sopas?

JASON MELMAD: Not really. It's kind've like a pita pocket, if I were to compare it to anything. It's a scratch-made dough that we cook to order and it pops up into a pocket and we stuff it with all kinds of stuff, both sweet and savory varieties.

CHAIR NICOLE MURATI FERRER: Interesting. Just to confirm, I know the agenda says 11 to 3 at Cambridgepark Drive, but it's actually 11 to 2 p.m., and you changed that on the application?

JASON MELMAD: Yeah.

FIRE CHIEF GERALD REARDON: So you presently have a permit for One Rogers right now?

JASON MELMAD: Yeah, and 36 Cambridgepark Drive.



FIRE CHIEF GERALD REARDON: The truck has a valid inspection and so forth?

JASON MELMAD: Yep. We're all set with both the Health Department and Fire Department.

CHAIR NICOLE MURATI FERRER: Questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR NICOLE MURATI FERRER: Questions?

FIRE CHIEF GERALD REARDON: That's it.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

You can say it. Go ahead.

ERICA BIRNBAUM: I'm in favor.

CHAIR NICOLE MURATI FERRER: Just for the record, your name, please.

ERICA BIRNBAUM: Erica Birnbaum,  
E-R-I-C-A, B-I-R-N-B-A-U-M.

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

Thank you.

I vote to grant.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR NICOLE MURATI FERRER: Granted.

**APPLICATION: IBD LIMITED D/B/A DARWIN'S LTD**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: IBD Limited doing business as Darwin's LTD, holder of a common victualer license at 313 Massachusetts Avenue has submitted a request for an increase of capacity from 19 seats to 76 seats. Steven Darwin as the proposed manager.

CHAIR NICOLE MURATI FERRER: Please state your names for the record and spell them.

Thank you.

ATTY JAMES RAFFERTY: Thank you. Good afternoon, Madam Chair. For the record, my name is James Rafferty, R-A-F-F-E-R-T-Y. I'm an attorney with offices at 675 Massachusetts Avenue

in Cambridge.

Seated to my left is Steven Darwin,  
D-A-R-W-I-N. Mr. Darwin is the principal and  
manager of Darwin's Limited, and he's the  
applicant appearing as the principal on behalf of  
the applicant today.

CHAIR NICOLE MURATI FERRER: Thank you.

Can you tell us what the need for the  
additional seats and how we jumped from 19 to 76?

ATTY JAMES RAFFERTY: Sure. The premises  
is expanding, and so, the application includes a  
change of premises. Mr. Darwin -- this is the  
third Darwin's operating in the City of  
Cambridge. It's currently operating at 311 Mass  
Ave --

STEVEN DARWIN: 313.

ATTY JAMES RAFFERTY: 313 Mass Avenue,  
and in the space next door which has been the  
long-time home of University Stationery is

becoming vacant and moving across the street into one of the new retail spaces in the 300 Mass Ave building currently being completed by Forest City. That's going to allow Mr. Darwin to expand his operation, which had always been his intention when he went to that location.

So, as you can see from the floor plan that was submitted what Mr. Darwin -- with the proposal involved is creating a significant amount of -- more seating and they actually -- he's, I think, willing to concede that he's imitating the success he has seen at Crema Cafe and at Flat Pattie's where the mezzanine in the back of the space creates a nice dining venue and also creates an opportunity to be have additional seats. It's a ground floor seating with mezzanine seating.

As a result the seating capacities go from 19 to 76 and the total occupancy is about --

is listed at 98. Darwin's is a popular place where some people -- many people eat in, but some people do take-out, and there's an active business, particularly in the morning and lunchtime hours for take-out business.

With the emerging population in this stretch of Mass Ave with the Novartis complex being completed and Millennium moving in at 300 Mass Ave, Mr. Darwin thinks this will be an ample opportunity to serve the public with food that he's developed a reputation for in Cambridge, and he is eager to expand his business at this location.

CHAIR NICOLE MURATI FERRER: Thank you.

POLICE COMMISSIONER ROBERT HAAS: Can you describe how people will order the food and go to tables?

STEVEN DARWIN: They come in through the front door. Currently, they come in through the

front door and they move around the counter to where we have two cash registers.

And then they move down the counter and wait for the food to pick up, and we have seating along one wall. The problem being right now is that frequently people, as they line up, they wind up lining up outside down on the handicapped ramp. With this expansion, people will be able to line up inside the building, as they do in my other two current establishments.

POLICE COMMISSIONER ROBERT HAAS: So the only reason I bring it up, is we have similar configurations in other restaurants, and what tends to happen is people will go, especially in the mezzanine area, go leave their bags there, go order their food and when they come back, there's items missing from their bag.

So we have been working with those vendors to -- those restaurateurs just to make

sure they provide some safeguards so you don't start experiencing that problem.

So what I encourage you to do is talk to our officers, just to remind your customers not leave their belongings unattended and things like that because you don't want to attract a problem into your restaurant.

STEVEN DARWIN: That's a fantastic point. It would be easy for me to post something up there in the mezzanine to warn people.

POLICE COMMISSIONER ROBERT HAAS: I would be glad if you called the department, and we'll send officers. Once they worked with the other restaurateurs, the problem stopped completely.

STEVE DARWIN: Oh great.

POLICE COMMISSIONER ROBERT HAAS: So just have them stop by and they can help you with -- just kinda give you some suggestions what they did so you can probably benefit from that past

knowledge.

STEVEN DARWIN: Thank you. Fantastic.

FIRE CHIEF GERALD REARDON: Have you investigated the expansion as far as the common wall and so forth, how you will deal with that in terms of structure?

STEVEN DARWIN: Yes. The architect did so.

FIRE CHIEF GERALD REARDON: Okay.

ATTY JAMES RAFFERTY: There's a pending application for a building permit. The expectation is that we -- but the engineer was required to submit sections and the like to get the building permits.

And there's two issues. There's a break-through between the wall, the demise wall between the two spaces and the mezzanine itself, as I'm sure the Chief knows, has certain height restrictions and tolerances for weight. It's a



heavily-engineered building permit application.

FIRE CHIEF GERALD REARDON: It's difficult to remove that party wall without running into some challenges.

STEVEN DARWIN: This is actually one of the unique ones that it has through the basement and the ceiling area those I-beams that are about yay wide. The building is in very good shape.

FIRE CHIEF GERALD REARDON: Okay. That's fine. You will be doing it full retrofit of the new space and then adding into the presence, so to speak?

STEVEN DARWIN: Correct, yes. The new space would be developed and then taking down the two sections in the wall at the last moment.

FIRE CHIEF GERALD REARDON: So the alarm system and everything is going to be one contiguous alarm for the whole space?

STEVEN DARWIN: Yes. It was designed

initially to accept the addition.

FIRE CHIEF GERALD REARDON: We have had some in the past where they try do add-ons and it doesn't work out well to have a unified...

STEVEN DARWIN: No. This is going to be unified, and as a matter of fact, my contractor got in touch with me today because as he submitted the application, the Fire Department was the primary concern, and I literally just got off the phone with my security company before walking in the door here to get that spec'd out for you guys.

ATTY JAMES RAFFERTY: It's fair to say that the kitchen and the food prep area, they're unaffected, they're existing, so everything is happening...

STEVEN DARWIN: Correct.

FIRE CHIEF GERALD REARDON: It's pretty much seating area not back-of-the-house

equipment?

ATTY JAMES RAFFERTY: And two bathrooms.

STEVEN DARWIN: Seating area and two  
bathrooms is all that is being added.

CHAIR NICOLE MURATI FERRER: Anything  
else?

FIRE CHIEF GERALD REARDON: All set.

POLICE COMMISSIONER ROBERT HAAS: That's  
it.

CHAIR NICOLE MURATI FERRER: Anyone in  
favor of this petition?

Anyone in opposition to this petition?

I vote to grant.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR NICOLE MURATI FERRER: I vote to  
grant.

POLICE COMMISSIONER ROBERT HAAS: Grant.

ATTY JAMES RAFFERTY: Thank you.

**APPLICATION: DUNSTER STREET RESTAURANT**  
**CORPORATION D/B/A DUNSTER RESTAURANT**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Dunster Street Restaurant  
Corporation doing business as Dunster Restaurant,  
holder of a common victualer all alcohol license  
at 15 Dunster Street has applied for an  
alteration of premise to add an outdoor seasonal  
patio on private property. Proposed new premise  
description is: 2600 square feet restaurant with  
two dining rooms, two bars, and kitchen on the  
first floor. 2600 square feet of storage in  
basement. Approximately 200 square feet seasonal  
patio on private property.

CHAIR NICOLE MURATI FERRER: Please state  
your names for the record.

ATTY JAMES RAFFERTY: Good afternoon,  
Madam Chair, James Rafferty, R-A-F-F-E-R-T-Y,

appearing on behalf of the applicant, Dunster Limited.

PATRICK LEE: Dunster Street Restaurant.

CHAIR NICOLE MURATI FERRER: You have so many on the agenda you don't even know who you represent.

ATTY JAMES RAFFERTY: The Limited is the corporation, but this is Mr. Dunster -- no, that's not true -- Patrick Lee is this gentleman's name. He's a young man who is trying to make a living here in Cambridge. This is not his first appearance here. He's the proprietor of several well-regarded establishments in Cambridge. And this -- a few months ago, the Commission approved the transfer of the license from what was First Printer, and then was, for a short while, Kennedy's On The Square, which didn't have a long run at this location, and now it's proposed to be the -- you always change the

name -- currently it's Dunster Restaurant.

PATRICK LEE: Dunster Restaurant.

ATTY JAMES RAFFERTY: Very creative.

The space itself has adjoining it, adjoining the building -- - I guess one would call it at the moment an alley -- that separates this building from the Cambridge Saving Bank building.

Under the terms of Mr. Lee's lease, he has an opportunity to create a path in the space formally used as an alley.

It's contiguous to the premises by way of access in the back of the restaurant so patrons will access it from the dining room and servers can access it from the dining room and kitchen.

And we have submitted a floor plan. It's all contained on private property, but it will be just in off the sidewalk. If you go by there today, you'd see these handsome wrought iron,

ornamental gates and it's kind've a curved opening.

It currently has more of an alley aesthetic than a dining aesthetic. But the plan is to improve upon that with new hardscape and the like, and it's a nice feature in Harvard Square.

And Lee knows from his past experience there's always an interest in having outside seating where possible. So it would be a seasonal path on private property.

CHAIR NICOLE MURATI FERRER: And I'm sorry, we didn't bring the current file on this. Does your current lease have the back area as part of the premises that you're -- that you have access to because otherwise we'll need an updated lease?

ATTY JAMES RAFFERTY: We have a letter of intent. We would amend the lease upon any action

here.

CHAIR NICOLE MURATI FERRER: I don't have the letter of intent with this application.

ATTY JAMES RAFFERTY: Okay. I'll check on that. I'm surprised. Hold on...

CHAIR NICOLE MURATI FERRER: I have the corporate vote and the floor plan.

FIRE CHIEF GERALD REARDON: Counsel, have you checked to see if this is one of those limited fire access? Not every one -- non-drivable is not a fire lane.

ATTY JAMES RAFFERTY: The area where the path is itself? I don't understand the question.

FIRE CHIEF GERALD REARDON: Even though it's not drivable, some of them are listed as restricted fire access lanes even though you can't drive a vehicle into them.

ATTY JAMES RAFFERTY: Fire access for people in the building who may need to leave?



FIRE CHIEF GERALD REARDON: Or access to the rear of the buildings for fire.

ATTY JAMES RAFFERTY: I have not done that.

FIRE CHIEF GERALD REARDON: I don't believe it is, but...

ATTY JAMES RAFFERTY: Where would one -- if I may ask, where would one determine that? Your department?

FIRE CHIEF GERALD REARDON: We can check it, but Traffic and Parking usually has a list of them.

ATTY JAMES RAFFERTY: I would say given what's there now in terms of the dumpsters and the parking lot --

FIRE CHIEF GERALD REARDON: I don't believe it is. I don't believe there's any egresses that dumps out into that back area.

ATTY JAMES RAFFERTY: I checked that.

There aren't. I was mindful of that that there are not, but I will make a note.

Would ISD be the appropriate department or would it be --

FIRE CHIEF GERALD REARDON: They may have a listing or we can double check that. But, like I say, I don't think it is, but there are some in Harvard Square.

ATTY JAMES RAFFERTY: What's the term? I apologize. What's it called?

FIRE CHIEF GERALD REARDON: Limited fire lane.

ATTY JAMES RAFFERTY: So if the space --

FIRE CHIEF GERALD REARDON: It's not necessarily for a motorized vehicle, but due to an access, I think the Sinclair and some of the others have similar restrictions because it egresses out or exits or accesses to a certain location. Sometimes they have restrictions on

them.

ATTY JAMES RAFFERTY: So to determine whether this area is currently clarified as --

FIRE CHIEF GERALD REARDON: I don't believe it is knowing that area, but...

ATTY JAMES RAFFERTY: Okay. We'll be happy to look into that.

PATRICK LEE: It will become significantly more accessible.

FIRE CHIEF GERALD REARDON: I don't disagree. I want to make sure you cover that basis.

CHAIR NICOLE MURATI FERRER: What are the proposed hours of operation on the path, are they going to mirror the inside hours or are they going to be different?

PATRICK LEE: They'll mirror the inside hours.

CHAIR NICOLE MURATI FERRER: Just in the

future where it says "ABCC license number," if you can add that, that would be great.

ATTY JAMES RAFFERTY: Sure. Where does that go?

CHAIR NICOLE MURATI FERRER: The application here, the ABCC license number, if it's an existing license, you have to put the ABCC number.

ATTY JAMES RAFFERTY: Okay. And we didn't do that?

CHAIR NICOLE MURATI FERRER: Nope.

ATTY JAMES RAFFERTY: The first time we've made a mistake. I apologize.

FIRE CHIEF GERALD REARDON: Third time, but who's counting.

ATTY JAMES RAFFERTY: People will be let go tomorrow.

CHAIR NICOLE MURATI FERRER: Anything else?

POLICE COMMISSIONER ROBERT HAAS: Nothing else.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

Anyone in opposition to this petition?

I say we take it under advisement until we figure out the lease and fire lane.

POLICE COMMISSIONER ROBERT HAAS: I mean --

ATTY JAMES RAFFERTY: Can it be approved pending verification of that?

FIRE CHIEF GERALD REARDON: I don't have a problem with that.

CHAIR NICOLE MURATI FERRER: We can, if you want do it that way.

POLICE COMMISSIONER ROBERT HAAS: Yes.

CHAIR NICOLE MURATI FERRER: Okay.  
Granted pending confirmation that it's not a limited fire lane, and that there's some type of

lease agreement to be able to use that area.

ATTY JAMES RAFFERTY: I'll check.

Something tells me -- is it in the --

PATRICK LEE: I think it's in the lease.

ATTY JAMES RAFFERTY: In fact, I think I misspoke, but I think it's in the existing lease and we can get that to you.

CHAIR NICOLE MURATI FERRER: Like I said, I don't have the original file here, so I don't know off the top of my head.

ATTY JAMES RAFFERTY: I know it was contemplated at the time of the original lease, so my guess is that there's a provision in that lease that gives them an option to use that space and we'll figure that out.

And now that we've gone this far, we'll move to a draft lease. We can get that information to you, I imagine, in a day or two.

FIRE CHIEF GERALD REARDON: Contact me

and I'll get someone to take a quick look at that for you.

ATTY JAMES RAFFERTY: Thank you very much.

I'm sorry, did you vote?

CHAIR NICOLE MURATI FERRER: Yes, we voted to the grant pending confirmation of a limited fire lane and that you do have access to it.

Thank you.

ATTY JAMES RAFFERTY: Thank you very much.

**APPLICATION: TRANSFER OF WINE AND MALT FROM EAST SEA, INC D/B/A YENCHING TO YAN 2000, LLC doing BUSINESS AS FLAME HOT POT AND SUSHI**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Transfer of a wine and malt beverages license and location from East Sea, Inc doing business as Yenching to common victualer

current license holder Yan 2000, LLC doing business as Flame Hot Pot and Sushi, 1001 Massachusetts Avenue, Eddy Hsia, manager of record. Hours of operation 11:30 a.m. to 11:30 p.m. seven days per week, total capacity of 85 seats. The premise is described as approximately 3,939 square feet of restaurant space on the concourse level of a two-story building at 1001 Massachusetts Avenue, with seating for 85, kitchen, storage, restrooms, one entrance and two exits.

CHAIR NICOLE MURATI FERRER: Good afternoon.

Please state your names for the record.

ATTY ANDREW UPTON: Good afternoon, Madam Chair, Chief, Commissioner, Andrew Upton, A-N-D-R-E-W, U-P-T-O-N, for the applicant.

With me is Eddie Hsia, E-D-D-Y, H-S-I-A, principal and proposed manager of record.



CHAIR NICOLE MURATI FERRER: Thank you.

Mr. Upton, I'm going to give you this. It is money that the current license owner holds to the city, and I know it's not necessarily part of your transaction, but we are not able to approve your transaction until that money is paid.

I mean, we'll vote on everything today, if we can. BUT I am just -- within your negotiations with the other attorney on the other side, I'm assuming that you can get someone to deal with that?

ATTY ANDREW UPTON: Yes. We have written into the P&S he has to be current on all tax obligations before we'll close.

CHAIR NICOLE MURATI FERRER: Awesome.  
Thank you.

Go ahead, Mr. Upton.

ATTY ANDREW UPTON: The Flame Hot Pot Restaurant at 1001 Mass Ave has been operating

successfully with a CV license for the last seven months. We've had no problems. They had no complaints that we're aware of. They're a restaurant. They're not a bar or nightclub. They're locally owned. It's not part of a chain. There's no bar or lounge area now and there's none planned if we're granted a license. Beer and wine will be served only with food.

We estimate that food will continue to be 70 to 80 percent of revenue, and beer and wine will be an amenity served with meals.

Many of our customers have requested beer and wine, specifically, Chinese and Japanese beer and Sake.

To demonstrate that we have a petition from over 150 customers who have signed indicating their desire for beer and wine.

We have no objections from the neighborhood groups that I have sent emails to

alerting them of this application.

We've had no response from any of the abutters or people that have seen the advertisement which I will turn in right now.

And we also have a similar petition signed by abutting and neighboring business owners. Mr. Hsia went door to door to all of his abutting business neighbors, many of whose names I'm sure you recognize: Dunkin' Donuts, Cannondale Sports, Hubba Hubba, et cetera, just to see if they were comfortable with this application, if they're in support. And many of them did sign.

So we believe that there's public need as demonstrated by the public want is amply demonstrated for this application.

We can also tell you that the manager has reached out to the 21 Proof people and should we be granted a license, we'll be undergoing that

training.

The average check price currently is about \$40. So it's not a college hangout. It's not a place to get cheap food and cheap drinks. It's on Main Street. There's no big residential neighbors near by.

There's many liquor licenses on Mass Ave, as you know, but we don't believe that this will create extra noise or traffic. It's all right there. It's a commercial district.

The manager has quite a bit of experience in the food service industry. He was TIPS trained when he worked in Vermont at a restaurant. He's worked his way up to ownership of a restaurant and he is now an owner. He's doing everything he can to serve the neighbors and city and to make the business a success for himself, his family and the neighborhood.

With that we'll answer any questions.

CHAIR NICOLE MURATI FERRER: Thank you.

The P&S mentions an all alcohol, do you know where that came from? I can try and find the -- I think it was --

ATTY ANDREW UPTON: Wine and malt in the whereas.

CHAIR NICOLE MURATI FERRER: Yeah. I think it was somewhere kinda buried in there. We're clear that this is a malt and wine license, yes?

ATTY ANDREW UPTON: We are. That's reflected by the license itself and by the purchase price.

CHAIR NICOLE MURATI FERRER: Okay.

ATTY ANDREW UPTON: I believe the seller is represented by a large corporate law firm, not a feisty independent law firm, like the buyer, and sometimes their documents don't receive quite the scrutiny that ours do. However, I will

withhold any judgment.

CHAIR NICOLE MURATI FERRER: I'll make sure we pull it out and have you change that.

But I did see that in the whereas that was flagged by one of our people.

And, Mr. Hsia, you are currently the owner of a --

EDDY HSIA: Yes, I am.

CHAIR NICOLE MURATI FERRER: You're currently the owner of this?

EDDY HSIA: Yes.

CHAIR NICOLE MURATI FERRER: Do you have any other places?

EDDY HSIA: No, this is the only one.

CHAIR NICOLE MURATI FERRER: You have never been the manager of record on a liquor license before?

EDDY HSIA: No.

CHAIR NICOLE MURATI FERRER: Is this your

first venture in the food and beverage industry?

EDDY HSIA: Yes, it is. My family is in and out of restaurant business. I been looking at the restaurant for a long time, you know.

CHAIR NICOLE MURATI FERRER: Are you familiar with the rules and regulations of this Board, the ABCC, and the laws of the Commonwealth with regard to the sales and service of alcohol?

EDDY HSIA: Yes.

CHAIR NICOLE MURATI FERRER: Are you currently a US citizen?

EDDY HSIA: Yes, I am.

POLICE COMMISSIONER ROBERT HAAS: No questions.

FIRE CHIEF GERALD REARDON: But basically everything else is staying the same in terms --

ATTY ANDREW UPTON: Yeah. They opened, they built out, they have had a CV for seven months and we're not building any type of bar.

We'll be just storing some beer and wine,  
chilling some beer and wine.

CHAIR NICOLE MURATI FERRER: Anything  
else?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR NICOLE MURATI FERRER: Anyone in  
favor of this petition?

Anyone in opposition to this petition?

So I vote to grant pending the satisfying  
of the debt to the city.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR NICOLE MURATI FERRER: Granted.

FIRE CHIEF GERALD REARDON: Good luck.

ATTY ANDREW UPTON: Thank you very much.

**APPLICATION: TRANSFER OF ALL ALCOHOLIC  
BEVERAGES LICENCE FROM WAGAMAMA BOSTON ONE,  
LLC TO SUMIAO XIANG RESTAURANT, LLC D/B/A  
SUMIAO'S**

EXECUTIVE DIRECTOR ELIZABETH LINT:



Application: Transfer of a common victualer all alcoholic beverages license and location from Wagamama Boston One, LLC doing business as Wagamama to Sumiao Xiang Restaurant, LLC doing business as Sumiao's, 270 Third Street, Sumiao Chen, proposed manager of record. Hours of operation 11:00 a.m. to 12:00 a.m. Sunday through Wednesday and 11:00 a.m. to 2:00 a.m. Thursday through Saturday, with a seating capacity of 116 inside and 40 outside on seasonal patio on private property. The premise is described as: One floor at street level approximately 4458 square feet with kitchen, dining area, and liquor bar and basement for storage, 780 square feet seasonal patio on private property.

CHAIR NICOLE MURATI FERRER: Please state your names for the record.

ATTY WEI JIA: Good afternoon. My name is --

THE REPORTER: I'm sorry, sir, state your first name and then please spell it.

ATTY WEI JAI: W-E-I, first name. Last name J-I-A. With office at 145 Tremont Street, Boston, Mass 0122 -- 02111.

I'm on behalf of Sumiao's Restaurant, LLC. Before this committee is the petition for transfer for all alcohol beverage license and then petition for change of location, two petitions.

I just want to correct one typo I just corrected on the form. The premises does not have a basement for storage. That is a misstatement. I crossed off and I initialed the change on application form.

Just one floor space.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY WEI JIA: Sitting to my immediate left is the proposed liquor manager, Mr. Junle

Wang known as Joe Wang.

THE REPORTER: Can you spell his name?

ATTY WEI JIA: J-U-N-L-E, last name  
W-A-N-G.

And then to his immediate left is Sumiao  
Chen, CEO of the pro -- of the LLC, and --

THE REPORTER: I need a spelling on her  
name.

SUMIAO CHEN: S-U-M-I-A-O, last name  
C-H-E-N.

His name is J-U-N-G.

ATTY WEI JIA: J-U-N-L-E.

The proposed restaurant is going to be  
called Sumiao d/b/a name and owned by Sumiao  
Xiang Restaurant, LLC, which is operating company  
which is wholly owned by an investment company,  
777I (sic-77I) Holding, LLC.

This holding company is a composed of --  
most of them are scientists working mostly in the

Cambridge area in the pharmaceutical companies.

And they have a dream, especially Sumiao, she has a dream to start a high-end restaurant with Hunan cuisine, which is -- I think it will be the first in the region devoted to -- the Hunan cuisine.

The location of the restaurant is 270 Third Street, which is the intersection of Third Street and, I think it's, Binney Street. It's going to be a new building and occupies the corner -- the corner space. Total space about over 4,000 -- 4,500 square feet, plus 700-plus outdoor seating, patio seating, which is private property of the liquor license.

We have not signed a commercial lease yet and this is in the process of negotiation, but we do -- we did include a term sheet, which contains major terms of the lease, including the outdoor patio space.

CHAIR NICOLE MURATI FERRER: When do you

think the lease will be signed?

ATTY WEI JIA: We're still working with the counsel who is in the Colorado and we're doing this quite diligently, but there's some issues. Hopefully we can finish it by -- if not by the end of the month, probably beginning of next month.

CHAIR NICOLE MURATI FERRER: This is actually -- you guys are making this from scratch, correct?

ATTY WEI JIA: Yes.

CHAIR NICOLE MURATI FERRER: You will not be open any time soon?

ATTY WEI JIA: Correct. Correct. And the total investment that we purchased this all alcohol beverage license from Wagamama, including a purchase price, plus the starting-up cost and inventory and the renovation, it's planned to invest around two million and a half, two and a

half million dollars, and part of that will be the contribution, about 450 will be contribution from the landowners, the construction allowance.

There's a total capacity of the space is, I believe, 180 with 40 seats -- 48 patio seats and 116 inside seats, and that includes 14 seats at the bar, bar area.

And operating hours we just submitted a letter, approved letter from the liquor license. It's going to be open for seven days from Sunday through Wednesday 11 to 12 midnight and Thursday through Saturday 11:00 a.m. to 2:00 a.m.

I will leave the details of how they operate restaurant to Joe and Sumiao, but this is a team that has been well-chosen of the management team, and Sumiao has four restaurants in the area, including the one in Chelmsford and Cohasset and known was Feng Shui. They're quite successful. And, Sumiao, I will leave you to

introduce the other member of the team.

SUMIAO CHEN: I introduce myself. I'm training in medicine and currently still working in pharmaceutical companies. I have had US restaurants four years and own six restaurants before now, four still existing in Massachusetts. So at the same time, I have certificate, training certificate for culinary arts from Le Cordon Bleu.

And also this time since I work in Kendall Square almost over 22 years in various different pharmaceutical companies, I know this area very well.

I became -- becomes my dream to own a high-end restaurant in this area to serve the public and to serve my colleagues in pharmaceuticals nearby.

And since last July, I decide to form a holding company called 77I holding, and two

million capital raised for this project, and we have screened locations in great Boston area. Finally, we choose the one in the vicinity as a location for the first Sumiao House Restaurant, Hunan cuisine in that area.

CHAIR NICOLE MURATI FERRER: You're a member of 77I holding LLC?

SUMIAO CHEN: I'm the president of 77I holding.

CHAIR NICOLE MURATI FERRER: There are more people involved as well?

SUMIAO CHEN: A total of -- so far 14 investors in this holding companies, and most of them are my friend or my colleagues in pharmaceutical companies, doctors.

And also like Joe is working in IT and ETA, and he's our information control manager for the holding company at the same time. He will be the liquor manager.



CHAIR NICOLE MURATI FERRER: Do you intend Mr. Wang to stay as the manager of record or is this kind of to get the process going, and once you're open, you're going to switch manager to someone that actually will be there?

SUMIAO CHEN: Yes.

ATTY WEI JIA: At that time there will be a change of manager application.

SUMIAO CHEN: Half of our open ownership have ServSafe food and ServSafe alcohol certificate. And also myself, I have experience in the restaurant establishment, and I own a number of the liquor license in different towns.

CHAIR NICOLE MURATI FERRER: The proposed hours of operation, will those hours be the proposed hours of operations for the patio?

ATTY WEI JIA: Yes.

SUMIAO CHEN: Yes.

ATTY WEI JIA: The patio was seasonal.

FIRE CHIEF GERALD REARDON: You said you're negotiating, but the patio would still be a 2:00 a.m. with the liquor license, as far as you know?

ATTY WEI JIA: Yes.

SUMIAO CHEN: So all the economic numbers has been under agreement with liquor license. Now it's just we have a letter of intention approved, signed by both parties. Now he's working on some of the tenant policy with the formal lease.

CHAIR NICOLE MURATI FERRER: Mr. Wang, you have never been the manager of record on a liquor license before, correct?

JUNLE WANG: NO.

CHAIR NICOLE MURATI FERRER: Do you have any experience in the food and beverage industry?

JUNLE WANG: I don't have experience, but I have experience -- I go through the program on

my training course and get a certificate and study the law.

CHAIR NICOLE MURATI FERRER: You're currently familiar with the rules and regulations of this Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol?

JUNLE WANG: Yes.

CHAIR NICOLE MURATI FERRER: Are you a US citizen?

JUNLE WANG: Yes.

CHAIR NICOLE MURATI FERRER: I do note for the record that Councillor Leland Chung submitted a letter in support of this petition.

There's some money owed by the current license holder. So I'm going to give this to you so you can -- it's not -- it's \$25, but the treasurer makes us chase you all.

And then, counselor, I know the

certificate of good standing was submitted for Wagamama Boston One, LLC, but there's this letter saying that Wagamama, Inc is the sole member of Boston One, LLC?

ATTY WEI JIA: Yes.

CHAIR NICOLE MURATI FERRER: And you have confirmed that?

ATTY WEI JIA: I confirmed that with the counselor representing Wagamama, yes.

CHAIR NICOLE MURATI FERRER: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

FIRE CHIEF GERALD REARDON: This is going to be a full build-out because that space is empty presently?

SUMIAO CHEN: Yes.

FIRE CHIEF GERALD REARDON: So same question as previous. You expect to do

fryolators, and so forth, for your food business?

SUMIAO CHEN: Yes.

FIRE CHIEF GERALD REARDON: You understand that's a little challenging in some of these locations with the exhaust hood laws and venting?

SUMIAO CHEN: We specifically are in the process to sign a contract with very good architect who is specialty in restaurant design, and also we're going to work together with Trimark to design a very high-end restaurant, use very good reputable appliance for the restaurant.

FIRE CHIEF GERALD REARDON: If you're successful, what are you looking for, the fall for this type of thing or opening?

SUMIAO CHEN: Actually, we would have five months to get all the permission and design and we have another five months for construction rental-free from the landlord. So we have ten

months to make it happening, yeah.

FIRE CHIEF GERALD REARDON: Thank you.

All set.

POLICE COMMISSIONER ROBERT HAAS: All  
set.

CHAIR NICOLE MURATI FERRER: Anyone in  
favor of this petition?

Anyone in opposition to this petition?

I actually vote to take this under  
advisement while we get a lease on this.

FIRE CHIEF GERALD REARDON: Second.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR NICOLE MURATI FERRER: We'll take  
it under advisement.

ATTY WEI JIA: And 25 bucks.

CHAIR NICOLE MURATI FERRER: Just make  
sure you get that lease to us so we can actually  
vote on the matter.

**APPLICATION: TRANSFER OF ALL ALCOHOLIC**

**BEVERAGES LICENSE FROM THREE INITIALS, Inc  
D/B/A EAST COAST GRILL TO ORANGE BLOSSOM,  
INC D/B/A EAST COAST GRILL**

**EXECUTIVE DIRECTOR ELIZABETH LINT:**

Application: Transfer of a common victualer all alcoholic beverages license from Three Initials, Inc doing business as East Coast Grill to Orange Blossom, Inc doing business as East Coast Grill, at same location, Mark Romano, proposed manager of record. Proposed hours of operation 10:30 a.m. to 1:00 a.m. seven days per week with a seating capacity of 104. Applications have also been made to pledge the liquor license and for an entertainment license to include non-live music playing below, at, or above conversation level and one TV. The premise is described as: One floor at street level, approximately 2,571 square feet in three rooms with bar, kitchen and seating and basement level for storage consisting of

approximately 2,090 square feet. There is one entrance and four exits.

CHAIR NICOLE MURATI FERRER: Thank you. Good afternoon. Please state your names for the record and spell them as well.

Thank you.

MARK ROMANO: Mark Romano, M-A-R-K, R-O-M-A-N-O.

MARCI JOY: Marci Joy, M-A-R-C-I, J-O-Y.

CHAIR NICOLE MURATI FERRER: Thank you. Do you want to tell us a little about your proposed...?

MARK ROMANO: We're purchasing East Coast Grill, legendary East Coast Grill, that's been in Inman Square for 30 years.

And we have a strong history in Cambridge. I opened the Blue Room in 1990 with Chris who was a former owner of East Coast Grill, and my wife Marci here was a server at the East



Coast Grill and that's where we met.

MARCI JOY: It's special for us. We worked there a long time and have a history there. It kind've comes full circle going back there and bringing it back.

MARK ROMANO: I was also a chef at Green Street Grill in Central Square for five years. And then in 2007 we bought a restaurant in Somerville, Highland Kitchen, a full liquor license. It's in a residential neighborhood, Spring Hill.

MARCI JOY: We didn't buy the land. We bought Vergie's Rendezvous or Madison's On the Ave, I think it was called then, and we opened Highland Kitchen.

MARK ROMANO: Never had one violation with the License Commission, ABCC, health code violations.

We run a family restaurant. We --

MARCI JOY: We have a strong --

MARK ROMANO: It's been the heart of the neighborhood in a residential neighborhood. So families are there early in the evening. We are going to try and bring that same work ethic that we brought to Highland kitchen to East Coast Grill, revamp it, get it going up again.

And, yeah, we have every intention to bring it back to its glory.

CHAIR NICOLE MURATI FERRER: Is your intentions kinda pretty much have the same type of cuisine that East Coast Grill was and everything else?

MARK ROMANO: Yes.

CHAIR NICOLE MURATI FERRER: And serve the public need basically that was kind of left void and all the people screamed when they shut their doors?

MARK ROMANO: Yes.

CHAIR NICOLE MURATI FERRER: Kinda the same issue with you guys as the last petition. What we have is a draft lease agreement and we need the actual signed lease agreement.

MARK ROMANO: You don't have the signed lease agreement?

CHAIR NICOLE MURATI FERRER: No, I especially have a draft agreement with comments of lawsuits that someone is not happy about.

MARK ROMANO: We do have a copy of that.

CHAIR NICOLE MURATI FERRER: I'm assuming that's not what we need to look at. And then also, like I told you before, we sort -- we need the manager application.

MARCI JOY: Where can we find that on-line 'cuz we actually just had someone look for that and they could not find it?

CHAIR NICOLE MURATI FERRER: When you go to the -- you filled out every form that comes up

with that link, except the manager application, so I'm assuming you kind've missed it.

It looks a lot like the personal information form, so I'm assuming someone skipped over it.

If you click on the link and go to the ABCC, the retail forms, there will be one that says "Manager Application," but if you want to go back to the forms that you filled out and go to the link that says "Transfer Application," it will be there eventually like within that form.

But, Mr. Romano, you're going to be the proposed manager of record?

MARK ROMANO: Yes.

CHAIR NICOLE MURATI FERRER: Have you ever been the manager of record on a liquor license before?

MARK ROMANO: Marci is on the one at -- so, no, I'm not.

CHAIR NICOLE MURATI FERRER: And you already told us about your food and beverage industry. Are you familiar with the rules and regulations of this Board, the ABCC, and the laws of the Commonwealth of Massachusetts with regard to sale and service of alcohol?

MARK ROMANO: Yes.

CHAIR NICOLE MURATI FERRER: Do you understand we expect you to stay up to date with those rules and regulations?

MARK ROMANO: Yes.

CHAIR NICOLE MURATI FERRER: I'm assuming you will be a hands-on manager and be there at the --

MARK ROMANO: Yes, very much hands on.

FIRE CHIEF GERALD REARDON: So you do have the clearance to use the same name?

MARK ROMANO: Yes.

FIRE CHIEF GERALD REARDON: Do you plan

to do much in the way of renovation?

MARK ROMANO: We're working out the kinks on that, but mostly cleaning, painting and a few different kitchen equipment items. Yeah, mostly cosmetic, nothing structural.

CHAIR NICOLE MURATI FERRER: Then you're pledging the license as well, is that correct, or not?

MARK ROMANO: Pledging?

POLICE COMMISSIONER ROBERT HAAS: That's what you said in your application.

MARK ROMANO: Yep, yep.

CHAIR NICOLE MURATI FERRER: Then there's also going to be cash. Where is the cash coming from, or is that -- did you mention cash coming from the bank? I was confused with the way --

MARCI JOY: The cash is coming from us.

CHAIR NICOLE MURATI FERRER: Just because of the amount of cash you're providing, the ABCC

requires to you submit also three months of bank statements to support, so we're missing that as well. They have to be consecutive months.

MARK ROMANO: Okay.

MARCI JOY: You do have the paperwork on the bank loan because we may be using a bank loan as well.

CHAIR NICOLE MURATI FERRER: Yes. I have -- and that was the other -- that's my other note. I have a draft note as well. I don't have the final note. I know the ABCC sometimes accepts the draft notes, but if you have the final note, you should probably submit that as well.

MARCI JOY: Okay. And then with that, you still need the personal bank statements?

CHAIR NICOLE MURATI FERRER: Yes.

MARCI JOY: Okay.

CHAIR NICOLE MURATI FERRER: I have the

pledge agreement. I have the full blown, seems to be, ink on paper type.

MARCI JOY: Okay.

CHAIR NICOLE MURATI FERRER: Okay. Any questions?

FIRE CHIEF GERALD REARDON: No further questions.

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR NICOLE MURATI FERRER: Anyone in favor this petition?

JAMIE BEADLE: I am.

CHAIR NICOLE MURATI FERRER: Please state your name for the record and spell it.

JAMIE BEADLE: My name is Jamie,  
J-A-M-I-E --

THE REPORTER: Chair, can she come up?

POLICE COMMISSIONER ROBERT HAAS: You have to come up.



CHAIR NICOLE MURATI FERRER: Can you please come up so the stenographer can hear you?

JAMIE BEADLE: My name is Jamie, J-A-M-I-E, and last name is Beadle, B-as in boy-E-A-D-L-E.

CHAIR NICOLE MURATI FERRER: Are you a resident?

JAMIE BEADLE: Of Somerville.

CHAIR NICOLE MURATI FERRER: Thank you. Anyone in support of this petition?

Anyone opposition to this petition?

I say we take it under advisement until you complete the application.

If you have any questions, you can call Ms. Lint. She'll have the file and she can tell you what else is missing if anything else, okay?

MARK ROMANO: Thank you.

CHAIR NICOLE MURATI FERRER: Thank you.

**APPLICATION: PRESIDENT AND FELLOWS OF**

**HARVARD COLLEGE FOR ENTERTAINMENT LICENSE**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: President and Fellows of Harvard College has applied for an annual entertainment license for Paine Concert Hall, 3 Oxford Street for live music and/or vocalist with or without amplification and one stage for live dramatic performances. The proposed hours of operation are 11:00 a.m. to 11:00 p.m. seven days per week.

CHAIR NICOLE MURATI FERRER: Good afternoon.

Please state your name for the record and spell it as well.

MARY MACKINNON: My name is Mary MacKinnon, M-A-C-K-I-N-N-O-N. I'm the events coordinator at the Department of Music.

CHAIR NICOLE MURATI FERRER: Is 3 Oxford Street the same thing as 3 Kirkland Street?

MARY MACKINNON: No, I believe that's an

error. It's 3 Oxford Street.

CHAIR NICOLE MURATI FERRER: Do you have a corrected Certificate of Inspection for that because the one we have says 3 Kirkland Street?

MARY MACKINNON: I would have to check with the building manager. We just got that address I'd say about a month ago. There's been a few glitches here.

CHAIR NICOLE MURATI FERRER: I mean, it does specify the Certificate of Inspection that it's music building, Paine Auditorium and everything else, but it says it's located at 3 Kirkland Street.

MARY MACKINNON: I will have to double check that.

CHAIR NICOLE MURATI FERRER: We need to fix it on one of the ends. Wherever it is, we need to fix it. If it's on the Certificate of Inspection, then we'll correct it if it's on our

end, and then you just need to amend the application.

Can tell us what's going to happen here?

MARY MACKINNON: The Paine Concert Hall seats over 400, and we have concerts throughout the music department, and we have student music groups, lectures and performances through our Harvard departments. And for the ticketed events, we obviously need an entertainment license, and we recently found out there was the annual license and the one day and we're hoping to get the annual license today.

CHAIR NICOLE MURATI FERRER: Okay. The hours are from 11:00 a.m. to 11:00 p.m.?

MARY MACKINNON: Yes.

CHAIR NICOLE MURATI FERRER: Questions?

FIRE CHIEF GERALD REARDON: So there's not on your one days, previously, there's not alcohol involved?

MARY MACKINNON: No.

FIRE CHIEF GERALD REARDON: Okay. I believe this had a change of address recently.

MARY MACKINNON: We're very excited about that.

CHAIR NICOLE MURATI FERRER: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

Anyone in opposition to this petition?

I vote to grant and then we hold the issuing delays until we get a corrected ISD certificate.

POLICE COMMISSIONER ROBERT HAAS:  
Granted.

FIRE CHIEF GERALD REARDON: Granted.

CHAIR NICOLE MURATI FERRER: Look into

the ISD and have the ISD certificate corrected so we can issue the license.

MARY MACKINNON: Thank you very much.

**APPLICATION: TRANSFER OF WINE AND MALT  
PACKAGE STORE LICENSE HELD BY TRADER JOE'S  
EAST, Inc D/B/A TRADER JOE'S TO LLH, LLC  
D/B/A TRADER JOE'S**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Transfer of the wine and malt package store license held by Trader Joe's East, Inc doing business as Trader Joe's at 748 Memorial Drive to LLH, LLC doing business as Trader Joe's, at same location, David Liebman, proposed manager of record. The premise is described as approximately 11,075 square feet of retail space located in shopping center at 727 Memorial Drive with two entrances and three exits on the first floor.

CHAIR NICOLE MURATI FERRER: Good

afternoon.

Please state your name for the record.

ATTY ANDREW UPTON: Good afternoon, Madam Chair, Chief, Commissioner, Andrew Upton, U-P-T-O-N, for the applicant.

CHAIR NICOLE MURATI FERRER: Thank you. Mr. Upton, where is Mr. Liebman.

ATTY ANDREW UPTON: He's not here. Because if I can outline, I'll tell you why he's not here. This is an intercompany transfer. Trader Joe's is transferring its liquor license to a wholly owned subsidiary of Trader Joe's in part because the Trader Joe's ownership is and has been since 1979 based in Europe, and because of the numerous German corporations and citizens are unable to technically comply with the ABCC beneficial interest disclosure requirements, we have created a license holding entity which is a wholly own subsidiary of Trader Joe's which will

funnel the revenues from alcohol sales to the individuals in the entity, and then to the employee benefit plan, thus preventing us from having to go up the chain to various holding companies in Europe, Germany and the trustees and beneficiaries thereof.

We're doing this for all the Trader Joe's in Massachusetts. We're doing this at the request of, and in consultation, with the ABCC. However, when you do a transfer of license, they ask you to include the manager paperwork.

But since in every case this is being done the exact same, the manager is staying in place. They suggested we didn't have to bring the manager because he or she had been qualified in every location and will presumably be qualified tomorrow.

CHAIR NICOLE MURATI FERRER: But it's our opportunity to ask the manager any issues that



have come up, or any situation that we have become aware that maybe we didn't really schedule for a disciplinary hearing because it hadn't been raised to that level, but something that we want to touch up on and stuff like that.

ATTY ANDREW UPTON: I would be happy to present the manager at any time.

However, we have been working on these serious of transactions with the ABCC for over a year in order to resolve this.

I'm following the template they laid out. And they said because they're all the same managers, there's no change, that they didn't recommend we bring them.

CHAIR NICOLE MURATI FERRER: They can suggest that for their hearings and we can suggest what we need for our hearings.

ATTY ANDREW UPTON: Understood and we're certainly glad to do that.

CHAIR NICOLE MURATI FERRER: I note for the record he has been the current manager of this location and has no issues.

And can you confirm for me as well?

ATTY ANDREW UPTON: That's correct.

CHAIR NICOLE MURATI FERRER: Basically we're looking at this kind've like the backward stuff that happens like with the bigger chain places like Legal's and stuff like that where they change all the stuff internally, but nothing else changed. So I'm assuming nothing is changing here.

ATTY ANDREW UPTON: There's absolutely no change at the store, the premises, the location, the hours, any aspect of licensed premises, either in one or any of the other five in Massachusetts.

It's purely an intercompany transfer in order to comply with the No. 3 lounge versus ABCC

requirements of disclosure.

CHAIR NICOLE MURATI FERRER: I did have some specific questions for the manager, I will admit, on the record.

ATTY ANDREW UPTON: I'm glad to convey them or I'd be glad to bring him back. But this is the only time I have been asked any questions about him.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

Do you guys have questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

FIRE CHIEF GERALD REARDON: No questions.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

Anyone in opposition to this petition?

And I will defer to the Commissioners.

FIRE CHIEF GERALD REARDON: Based upon

the lack of any kind of disciplinary problems at that location, I have no problem with voting.

CHAIR NICOLE MURATI FERRER: They were just very simple questions something that was brought to our attention. We can send a letter to the manager and get answers from the manager directly.

ATTY ANDREW UPTON: I'm glad to convey any questions at all, but essentially, we're talking about the shell of Trader Joe's is making a small internal change.

CHAIR NICOLE MURATI FERRER: I understand that.

ATTY ANDREW UPTON: There are no other changes whatsoever.

POLICE COMMISSIONER ROBERT HAAS: So what if we stipulate approval of pending satisfactory answers to your written questions?

CHAIR NICOLE MURATI FERRER: I like it.

All right.

FIRE CHIEF GERALD REARDON: Seconded.

CHAIR NICOLE MURATI FERRER: Granted and we'll send a letter.

Would you like it to be sent through you?

ATTY ANDREW UPTON: Send it right to me and that way I can make sure it's responded to in a timely fashion.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY ANDREW UPTON: Thank you very much.

**APPLICATION: POLISH AMERICAN CITIZENS**

**ASSOCIATION OF CAMBRIDGE, INC CHANGE OF OFFICERS**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Polish American Citizens

Association of Cambridge, Inc holder of an all alcoholic beverages club license at 747 Cambridge Street, has applied for a Change of Officers and Directors and a Change of manager from James

Voutiritsa to Robert F. Kelly.

CHAIR NICOLE MURATI FERRER: Good  
afternoon.

Please state your names for the record  
and spell them as well.

ROBERT KELLY: Robert Kelly, K-E-L-L-Y.

TAMMY DARLING: Tammy Darling, T-A-M-M-Y,  
D-A-R-L-I-N-G.

CHAIR NICOLE MURATI FERRER: Before we  
start, the treasurer submitted to us a couple of  
bills of money owed to the city. I will hand  
those to you.

Tell us about your application or can  
you -- are you members and everything?

ROBERT KELLY: Yes.

CHAIR NICOLE MURATI FERRER: Tell us a  
little about it.

ROBERT KELLY: We elected a new -- the  
past election we have a new board of directors

and executive board, and we're also trying to finally get the paperwork straightened out and have someone else as the manager of record besides the gentleman that is on there now.

CHAIR NICOLE MURATI FERRER: Can you -- I should have given you this before. No. 15. Those need to be answered. You submitted a list of officers.

ROBERT KELLY: Yeah.

CHAIR NICOLE MURATI FERRER: And, Mr. Kelly, have you ever been the manager of record on a liquor license before?

ROBERT KELLY: No.

CHAIR NICOLE MURATI FERRER: Tell us a little about your experience.

ROBERT KELLY: I have been the president there for the past three years, and I have been doing the bar manager duties while we were trying to fill this void. I have also bartended there

for the last four or five years.

CHAIR NICOLE MURATI FERRER: Are you familiar with the rules and regulations of this Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol?

ROBERT KELLY: Yes.

CHAIR NICOLE MURATI FERRER: You're expected to stay up to date with those rules and regulations?

ROBERT KELLY: Yep.

CHAIR NICOLE MURATI FERRER: Are you a US citizen?

ROBERT KELLY: Yes.

POLICE COMMISSIONER ROBERT HAAS: So you kind've alluded to the fact that you wanted to rectify some issues going on with the club. Can you specify what those were?

ROBERT KELLY: Personnel issues. We



changed the board, and, you know, our paperwork was incorrect. And we have been working with Elizabeth to rectify all the paperwork and that's what we're trying to do.

POLICE COMMISSIONER ROBERT HAAS: Any other issues?

ROBERT KELLY: No.

FIRE CHIEF GERALD REARDON: No questions.

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

Anyone in opposition of this petition?

I vote to grant pending satisfaction of debt to city.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR NICOLE MURATI FERRER: Granted pending city payment.

TAMMY DARLING: Thank you.

CHAIR NICOLE MURATI FERRER: Then just so you know, I will submit -- once you give us proof of payment to the city, we'll submit this to the ABCC for final approval. We'll send that letter with the petitions since the previous person didn't sign.

Is there no one at the Polish American Club that used to be on the old board?

TAMMY DARLING: That's on the board still?

CHAIR NICOLE MURATI FERRER: No, not on the board, but that's a member.

TAMMY DARLING: Yes.

CHAIR NICOLE MURATI FERRER: So they can actually sign that.

I mean, is Carol Roanski, Walter Zajack, or Shirley Murphy?

ROBERT KELLY: No, none of them are there.

CHAIR NICOLE MURATI FERRER: But you do have members that are still members?

TAMMY DARLING: Yes.

CHAIR NICOLE MURATI FERRER: I think any one of them can sign because none of them were proprietary, if they were members of the Polish American Club.

EXECUTIVE DIRECTOR ELIZABETH LINT: What specifically is --

CHAIR NICOLE MURATI FERRER: They need to sign the --

EXECUTIVE DIRECTOR ELIZABETH LINT: I know. What does it say?

CHAIR NICOLE MURATI FERRER: Last approved licensee. So any member can sign.

ROBERT KELLY: That would be the Polish American Club, so I can sign it still.

CHAIR NICOLE MURATI FERRER: Thank you.

**APPLICATION: ALPINE RESTAURANT GROUP,**

**INC D/B/A POSTO MOBILE**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Alpine Restaurant Group, Inc doing business as Posto Mobile, has applied for a peddler vendor's license to operate a mobile food truck at 32-34-36 Cambridgepark Drive on Fridays from 11:00 a.m. to 3:00 p.m.

CHAIR NICOLE MURATI FERRER: Good afternoon.

Please state and spell your name for the record.

JAMIE BEADLE: My name again is Jamie, J-A-M-I-E, Beadle, B-E-A-D-L-E.

CHAIR NICOLE MURATI FERRER: You're applying for a food truck application at 32-34-36 Cambridge?

JAMIE BEADLE: Yes.

CHAIR NICOLE MURATI FERRER: You will be there on Friday. And can you tell us a little

about your food truck?

JAMIE BEADLE: It's Neapolitan pizza.  
Our commissary is in Somerville.

CHAIR NICOLE MURATI FERRER: Just so you  
know that the letter from VECNA only authorizes  
11 to 2:00 a.m.

JAMIE BEADLE: Oh.

EXECUTIVE DIRECTOR ELIZABETH LINT: 11  
a.m. to 2 p.m.

CHAIR NICOLE MURATI FERRER: Sorry. 11  
a.m. to 2 p.m., not 3:00 p.m.

JAMIE BEADLE: That's actually fine.

CHAIR NICOLE MURATI FERRER: I note you  
submitted your license and the certificate of  
registration. Has your truck been inspected?

JAMIE BEADLE: It has. We did get the  
water extinguisher, Chief.

POLICE COMMISSIONER ROBERT HAAS: Are you  
operating in any other locations?

JAMIE BEADLE: Yes, we do. We go down to Boston, High Street, as well as Seaport Boulevard.

POLICE COMMISSIONER ROBERT HAAS:  
Seaport?

JAMIE BEADLE: Seaport Boulevard and we're -- we do, of course, weddings and stuff like that.

CHAIR NICOLE MURATI FERRER: A food truck at weddings?

JAMIE BEADLE: Yes.

CHAIR NICOLE MURATI FERRER: Okay.

JAMIE BEADLE: Yeah. It's like catering, but, you know, fresh made-to-order stuff.

CHAIR NICOLE MURATI FERRER: Are you like the only ones or is it food truck wedding extravaganza?

JAMIE BEADLE: Usually it's one, pizza and something else.

FIRE CHIEF GERALD REARDON: Pizza and --

POLICE COMMISSIONER ROBERT HAAS: How long have you been operating your business?

JAMIE BEADLE: The restaurant has been since 2009 and the mobile has been since 2013.

POLICE COMMISSIONER ROBERT HAAS: Thank you.

CHAIR NICOLE MURATI FERRER: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

FIRE CHIEF GERALD REARDON: Are you using wood fire, right?

JAMIE BEADLE: Yes.

FIRE CHIEF GERALD REARDON: It's coming back to me.

CHAIR NICOLE MURATI FERRER: Anything else?

FIRE CHIEF GERALD REARDON: All set.

CHAIR NICOLE MURATI FERRER: Anyone in favor this petition?

Anyone in opposition to this petition?

I vote to grant 11 a.m. to 2 p.m.

MALT AND WINE LICENSES WITH OR WITHOUT ENTERTAINMENT

**ALEXANDRA STOTE (HARVARD UNIVERSITY)**

CHAIR NICOLE MURATI FERRER: We'll start with one-day licenses.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Alexandra Stote, has applied for a malt and wine license to be exercised at Science Center at Harvard University, 1 Oxford Street, Cambridge, on April 21, 2016 from 5:30 p.m. to 7:00 p.m. for a food forum. Expected attendance: 250 people.

CHAIR NICOLE MURATI FERRER: Granted. Police detail is expected.

**MEREDITH SANDIFORD (WORKBAR)**

EXECUTIVE DIRECTOR ELIZABETH LINT:



Meredith Sandiford, has applied for a malt and wine license to be exercised at Workbar, 45 Prospect Street, Cambridge, on May 10, 2016 from 6:00 p.m. to 8:30 p.m. for a panel discussion. Expected attendance: 100 people.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail is expected.

**HONGWEN WONG (LEHMAN HALL)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Hongwen Wong, has applied for a malt and wine license with entertainment (patrons dancing, recorded/live music and ampliation system) to be exercised at Lehman Hall, Harvard University, Cambridge, on April 23, 2016 from 7:30 p.m. to 11:59 p.m. for a party. Expected attendance: 150 people.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail is requested.

**ASHLEY HOPPER (HARVARD UNIVERSITY HOUSING)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Ashley Hopper, has applied for a malt and wine license with entertainment to provide (recorded/live music) to be exercised at Harvard University Housing, Peabody Terrace, Cambridge, on May 7, 2016 from 4:00 p.m. to 6:00 p.m. for a party. Expected attendance: 200 people.

CHAIR NICOLE MURATI FERRER: I'm going to start fuming because these are not in order.

EXECUTIVE DIRECTOR ELIZABETH LINT: Well somebody took them because they were.

CHAIR NICOLE MURATI FERRER: Granted.

**ARLYN DEPAGTER (MIT BUILDING)**

EXECUTIVE DIRECTOR ELIZABETH LINT: Arlyn DePagter, has applied for a malt and wine license to be exercised at MIT Building, 32-D850 Lounge, 32 Vassar Street, Cambridge, on April 29, 2016 from 6:00 p.m. to 10:00 p.m. for a reception. Expected attendance: 50 people.

CHAIR NICOLE MURATI FERRER: Granted.

**EFTHYMIOS IOANNIDIS (MIT, PACIFIC STREET)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Efthymios Ioannidis, has applied for a wine license with entertainment (recorded/live music) to be exercised at MIT-NW86-70 Pacific Street, Cambridge, on May 1, 2016 from 12:00 p.m. to 5:00 p.m. for an outdoor orthodox Easter celebration. Expected attendance: 350 people.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail is requested.

**WILLIAM FULLER (HARVARD UNIVERSITY)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

William Fuller, on behalf of The Bartending Service of New England, LLC, has applied for a malt and wine license to be exercised at The Plaza Tent, Harvard University, Cambridge, on April 29, 2016 from 5:30 p.m. to 7:00 p.m. for an art festival. Expected attendance: 500 people.

CHAIR NICOLE MURATI FERRER: Granted.

**ENTERTAINMENT LICENSES ONLY**

**JOEL PETTIGREW (JOHNSON ICE RINK)**

EXECUTIVE DIRECTOR ELIZABETH LINT: Joel Pettigrew, on behalf of MIT, has applied for an entertainment license (patrons dancing, performers/entertainers dancing, recorded/live music, amplification system and light show) for a concert at Johnson Ice Rink, 120 Vassar Street, Cambridge, on April 29, 2016 from 7:00 p.m. to 10:30 p.m. Expected attendance: 1500 people.

CHAIR NICOLE MURATI FERRER: Granted.

Police detail expected.

**BUDMONDE DUINKHARJAV (SALA DE PUERTO RICO)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Budmonde Duinkharjav, has applied for an entertainment license (performers/entertainers dancing, amplification system and light show) for a concert at Sala de Puerto Rico, 84 Massachusetts

Avenue, Cambridge, on May 12, 2016 from 5:00 p.m. to 12:00 a.m. Expected attendance: 170 people.

CHAIR NICOLE MURATI FERRER: Granted.

**KATRINA MIKOFALVY (KRESGE)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Katrina Mikofalvy, has applied for an entertainment license (performers/entertainers dancing, recorded/live music and ampliation system) for a dance performance at Kresge little theatre, 48 Massachusetts Avenue, Cambridge, on May 5, 2016 7:00 p.m. to 9:00 p.m.; May 6, 2016 10:00 p.m. to 12:00 a.m.; May 7, 2016 1:00 p.m. to 3:00 p.m. and 4:00 p.m. to 6:00 p.m. Expected attendance: 185 people.

CHAIR NICOLE MURATI FERRER: Granted.

**KATHLEEN MURPHY (BUCKINGHAM BROWNE &**

**NICHOLS SCHOOL**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Kathleen Murphy, on behalf of Buckingham Browne

and Nichols School has applied for an entertainment license (patrons dancing, Performers/entertainers dancing and recorded/live music) with inflatable rides and games for a school festival at Buckingham Browne and Nichols School, 80 Gerry's Landing Road, Cambridge, on May 7, 2016 from 11:00 a.m. to 3:00 p.m. Expected attendance: 700 people.

CHAIR NICOLE MURATI FERRER: BBN actually owes some money to the city, so I vote for us to grant pending payment. And also they -- there's the peddler license here as well attached to it for various food and baked goods, also Kathleen Murphy, same location, same hours, same day. I have the certificate of insurance and all the other stuff. So I say granted pending payment to the city. Also, the police detail is requested by Sergeant Kale.

**JESSIE LAURORE (STUDENT ORGANIZATION CENTER)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Jessie Laurore, has applied for an entertainment license (performers/entertainers dancing, recorded/live music and ampliation system) for a fundraiser at Student Organization Center at Hilles (SOCH), 59 Shepard Street, Cambridge, on April 20, 2016 from 3:00 p.m. to 5:00 p.m.

Expected attendance: 100 people.

CHAIR NICOLE MURATI FERRER: Granted.

### **VENDORS**

**MICHAEL WINGATE (WATER AT SANDERS THEATRE)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Michael Wingate has applied for a vendor's license to sell T shirts, CDs, sweat shirts at Water at Sanders Theatre, 45 Quincy Street on April 23 from 8:00 p.m. to 1:30 p.m.

CHAIR NICOLE MURATI FERRER:

CHAIR NICOLE MURATI FERRER: Hold on because I don't have an application. We don't

have an application, so -- unless you have it.

Let's get that until we finish all this other stuff. Maybe it's somewhere buried in all of this.

EXECUTIVE DIRECTOR ELIZABETH LINT: I have --

CHAIR NICOLE MURATI FERRER: Hold on, it's under Sandgal (phonetic) here.

Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: I have all the add-ons.

CHAIR NICOLE MURATI FERRER: Do you have them listed or no?

EXECUTIVE DIRECTOR ELIZABETH LINT: No. I just wrote them on today.

CHAIR NICOLE MURATI FERRER: I meant if you have them in some kind of order.

EXECUTIVE DIRECTOR ELIZABETH LINT: They should be straight down and I broke them up for



myself.

**PAUL CLORHAS (ROAD RACE, SIDNEY STREET)**

CHAIR NICOLE MURATI FERRER: Paul Clarke, has applied for a beer, a one-day beer license for a road race at 44 Sidney Street on April 24 at 10:00 a.m.

EXECUTIVE DIRECTOR ELIZABETH LINT:

That's part of the special events. I printed off what I could get out of under gov.

CHAIR NICOLE MURATI FERRER: They have gone through special events.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

This is the fifth year for the same event.

CHAIR NICOLE MURATI FERRER: Okay. So granted and police detail is requested. I'm sure that is on the special events permit anyways.

**JENNA LANE (ENTERTAINMENT LICENSE)**

Next one is Jenna Lane, an individual who has applied on behalf of Fire Brand Saints for a

live band showcase -- it's an entertainment license -- on April 23 and April 30 from 10:00 p.m. to 12:30 a.m.

Granted.

**ST. ANTHONY'S PARRISH (ENTERTAINMENT/ONE-DAY LICENSE)**

And then we have a malt and wine and entertainment one-day license from the St. Anthony's parish for King's Day on Sunday, May 1 from noon to 8:00 p.m. at their address.

And the entertainment is patrons dancing and performers and music.

Granted. And police detail is requested.

**SHAMUS BAND (MALT AND WINE LICENSE)**

We have Shamus Band who has applied for a post-recession and awards ceremony for the MIT Clean Energy Prize at MIT for a malt and wine license at 235 Albany Street.

Granted and police detail is requested.

**OLIG DIMATRANCO (QUINCY HOUSE COMMITTEE)**

And we have Olig DiMatranco (phonetic) who has applied for the Quincy House Committee for a dance at 58 Huntington Street, which is their location, on April 30 from 10:00 p.m. to 1:15 a.m. 25 people expected. It's a malt and wine and some music.

It's a formal dormitory event. It's their annual event. Granted and police detail is requested.

**PHILIP ARAVLO (MIT)**

And then Philip Aravlo (phonetic) has applied for an entertainment license at the theatrical performance on MIT. 51, 55, 56, 57, the hours are 7:30 to 11:30 p.m. on every day except May 1 and 7 which will be 1:30 p.m. to 5:30 p.m.

Granted.

**CAROLINE WALSH (ENTERTAINMENT LICENSE AT MIT)**

And Caroline Walsh has applied as an individual for a student theater performance. It's an entertainment license at MIT on 4/22 through 4/24, 4/28 through 4/30 from 8:00 p.m. to 11 p.m.

Granted.

**HALLI CHAPMAN (ENTERTAINMENT STUDIO)**

Another one-day application for an entertainment studio at 550, Halli Chapman, an open and formal showing on 4/23 from 7 p.m. to 11 p.m., 550 Mass Ave.

What day is today, the 19th? I would hold this. It doesn't have the police signoff. But if they get police signoff, I have no problem with it.

POLICE COMMISSIONER ROBERT HAAS: Uh-huh.

CHAIR NICOLE MURATI FERRER: Granted pending police signoff and recommendation as to details.

The one-day amendments you don't have that?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yeah, I do.

CHAIR NICOLE MURATI FERRER: You do.

EXECUTIVE DIRECTOR ELIZABETH LINT: They're written on. They came in this afternoon.

**TODD MALL (ONE-DAY AMENDMENT)**

CHAIR NICOLE MURATI FERRER: So we -- we have a one-day amendment to an existing license, Todd Mall, for Cafe Art Science at 650 East Kendall Street. They have an alcohol license, we are hosting a reception for a nonprofit partner, we will be providing an exhibit, the reception will be located in the gallery which is adjacent to the restaurant in the same building, wine and beer would be served, 6:00 p.m. to 8:00 p.m. only. They're bartending and security.

Granted.

**TODD MALL (ONE-DAY AMENDMENT)**

Another one-day amendment also at 650 Kendall for April 28 from 6:00 p.m. to 9:00 p.m. for the donors and board members. Again, the reception will take place in the art gallery adjacent to the restaurant.

Granted.

This is the vendor's application. The issue with this is we are missing the actual application. The application is still not here. We have to -- we have a letter and I will make note that we granted it when we voted last time pending submission of everything else. That's moved.

**ASHLEY TART (JOHN HARVARD'S BREWERY)**

Then we have a one-day alcoholic beverages license, wine and malt only from Ashley Tart for John Harvard's Brewery at 33 Dunster Street.

What do they have? They don't have a pouring license.

EXECUTIVE DIRECTOR ELIZABETH LINT: They do. This will be at a different location. It will be at Centerplate, JFK and Mt. Auburn.

CHAIR NICOLE MURATI FERRER: Oh, I see. Okay, okay, okay, okay, okay. On May 1st from 10:00 a.m. to 6:00 p.m.

Granted.

#### **ADMINISTRATIVE MATTERS**

#### **ETHOS BUSINESS PARTNERS, INC**

EXECUTIVE DIRECTOR ELIZABETH LINT: Then we have all the administrative matters.

Matter deferred from April 5, 2016.

Ethos Business Partners, Inc, doing business as Le's Sushi Bar and Restaurant, has applied for a common victualer license to be exercised at 425 Cambridge Street with a seating capacity of 24, hours of 9:00 a.m. to 9:00 p.m. seven days per

week, Huong Le, manager of record. Premise is described as red brick building with first floor restaurant space approximately 1609 square feet.

You left this one open because the service was questionable.

CHAIR NICOLE MURATI FERRER: This is the one where they had advertised the wrong square footage, or we had the wrong square footage and they re-sent letters and we left it open in case we got anything from anyone complaining about it or we didn't. My notes are they were fine to grant, so I vote to grant.

FIRE CHIEF GERALD REARDON: Second.

CHAIR NICOLE MURATI FERRER: Granted.

**AU BON PAIN (CANCELLATION)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Cancellation of common victualer License No.

VIC00313 Au Bon Pain, 1360 Massachusetts Avenue  
due to loss of lease.



CHAIR NICOLE MURATI FERRER: We'll cancel the license.

**VIC00439 B.GOOD (CANCELLATION)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Cancellation of common victualer License No. VIC00439 b.good, LLC 24 Dunster Street due to loss of lease.

CHAIR NICOLE MURATI FERRER: Board acknowledges, cancel license.

**MEGHAN NOWAK (BARLETTA HEAVY DIVISION, INC)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Meghan Nowak on behalf of Barletta Heavy Division, Inc has applied for a Special Noise Variance from Sunday, May 1, 2016 through Friday, June 4, 2016 from 9:00 p.m. to 5:00 a.m. for sewer work at Concord Lane and New Street.

CHAIR NICOLE MURATI FERRER: This has gone through the entire process. We got sign-offs from DPW, ISD and our investigator also

looked into it. I vote to grant unless I have any objections.

FIRE CHIEF GERALD REARDON: Second.

CHAIR NICOLE MURATI FERRER: Granted.

**LETTER FROM ATTY WILLIAM GOLDBERG**

EXECUTIVE DIRECTOR ELIZABETH LINT: The License Commission has received a letter from Attorney William Goldberg requesting to extend the approval of Guggy, LLC, 577 Massachusetts Avenue, to obtain building, health and fire signoffs. Construction was held up as a tenant in the location had not moved.

CHAIR NICOLE MURATI FERRER: I have no context what this is. You guys need to educate me on this.

EXECUTIVE DIRECTOR ELIZABETH LINT: So that is upstairs from Doma, which is right on Mass Ave in Central Square. Not Doma, Dosa Factory -- sorry -- and they wanted to open a

full-service restaurant upstairs and that was granted. It's got to be a year ago at least.

POLICE COMMISSIONER ROBERT HAAS: Longer, I think.

EXECUTIVE DIRECTOR ELIZABETH LINT: Could be. But originally they said the tenant was moving right out so they would be able to do the whole build-out, but the tenant didn't move.

CHAIR NICOLE MURATI FERRER: So this was a pocket license basically?

EXECUTIVE DIRECTOR ELIZABETH LINT: It was a new license or a transfer -- it was a transfer. I can't remember from who.

CHAIR NICOLE MURATI FERRER: I'm sorry. I didn't see this was on the agenda, otherwise, I would have viewed the file and pulled it, so I'll abstain my vote on this.

POLICE COMMISSIONER ROBERT HAAS: Motion to defer until decision meeting.

FIRE CHIEF GERALD REARDON: A question:  
Do we know how long?

EXECUTIVE DIRECTOR ELIZABETH LINT: Now  
they're going to do the whole build-out.

CHAIR NICOLE MURATI FERRER: It says they  
request further extension. Tenant at 575 finally  
moved, suggest six-month further extension for  
approval of inspections from fire, health and  
building departments.

FIRE CHIEF GERALD REARDON: I don't have  
an issue as long as it's -- nothing has changed  
from what we voted on to approve them and it was  
beyond their control.

EXECUTIVE DIRECTOR ELIZABETH LINT: They  
had the architectural plan so it will be --

FIRE CHIEF GERALD REARDON: As long as  
nothing changed from the original meeting, vote  
and presentation, if they say they will be done  
within six months of doing the work.

POLICE COMMISSIONER ROBERT HAAS: So can we just -- we should defer it if that's case since it's a long period of time just to verify that's -- have they said this in the application? There's no changes, right?

EXECUTIVE DIRECTOR ELIZABETH LINT: They're just requesting a longer time to get it done.

FIRE CHIEF GERALD REARDON: I vote for them as long as they don't -- when you tell them they don't -- they're not telling us there's changes going on.

POLICE COMMISSIONER ROBERT HAAS: Do you want to make a motion to grant the extension?

FIRE CHIEF GERALD REARDON: I make a motion to grant the extension pending confirmation there's no changes from the original approved concept from what we voted on previously.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR NICOLE MURATI FERRER: I won't  
vote.

**JASON FRITZ (SPECIAL NOISE VARIANCE)**

EXECUTIVE DIRECTOR ELIZABETH LINT: Jason  
Fritz has applied for a special noise variance to  
be exercised at 1575 Cambridge Street, Cambridge,  
from May 9, 2016 through May 11, 2016 from 12:00  
p.m. until 12:00 a.m. for two generators and  
lifts for lighting.

CHAIR NICOLE MURATI FERRER: This is a  
variance to film a movie. We talked to all the  
other departments involved and they're fine. We  
also confirmed with the applicant that the  
generator being used is one of those that is  
buffered and makes no noise.

It's going to be inside the Spaulding  
Rehabilitation Center, in their parking lot  
specifically, and they're all set and I'm in

support of this. We received no objections, so I vote to grant.

EXECUTIVE DIRECTOR ELIZABETH LINT: Wait, wait. Someone came in the office this morning.

CHAIR NICOLE MURATI FERRER: Well, you should tell us.

EXECUTIVE DIRECTOR ELIZABETH LINT: -- and showed me the -- she didn't object. What she objected to was the notice she received because it basically gave no information. So since this is kind've new, it might be a good idea to maybe have some guidelines as to what we expect people to put in the notice. It didn't give any contact information. It was basically two sentences typed on a piece of paper stuffed in an envelope.

CHAIR NICOLE MURATI FERRER: Also, for this one, there were no abutters, because it's in the -- it's inside the hospital, the only abutter is the hospital.

EXECUTIVE DIRECTOR ELIZABETH LINT: It didn't say that.

CHAIR NICOLE MURATI FERRER: I think they did it. We told them -- they were informed by our -- our investigator that out of courtesy to the neighbors, they should inform the neighbors that this was happening.

So we'll talk to our investigator to work further with people if they're doing anything further, you know, like a whatchamacallit, a courtesy just to be further -- this has been -- this was also on our agenda. I don't think we heard anything. But again there's no abutter and our process is to notify the direct abutters. They just did it out of courtesy for the people around so they would know when they see the crews and whatnot.

EXECUTIVE DIRECTOR ELIZABETH LINT: The concern was it didn't say anything, so it's like



what are they doing. They will be filming inside, but it doesn't say that. They made their own little -- it's good to do outreach, but be more informative.

CHAIR NICOLE MURATI FERRER: Definitely. We'll vote to grant.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR NICOLE MURATI FERRER: Granted.

**CHAD BENNETT (SPECIAL NOISE VARIANCE)**

EXECUTIVE DIRECTOR ELIZABETH LINT: Chad Bennett has applied for special noise variance to be exercised on April 23, 2016 and April 24, 2016 from 10:00 p.m. until 12:00 p.m. at 88 Ames Street for a mini excavator, tow behind generator, rubber tire backhoe and gas-powered chop saw.

CHAIR NICOLE MURATI FERRER: We did -- we got it from Mr. James Wilcox that he said that he recommended approval since this will avoid water

shut-down during business hours for the residents in the area. I'm sorry for the restaurants in the area.

That was the only feedback we got from the other departments that are involved. I see no objections.

Did we get any objections, Ms. Lint?

EXECUTIVE DIRECTOR ELIZABETH LINT: No. That one, no.

CHAIR NICOLE MURATI FERRER: I vote to grant.

FIRE CHIEF GERALD REARDON: Second.

CHAIR NICOLE MURATI FERRER: Granted.

#### **R&D VENTURES, LLC**

EXECUTIVE DIRECTOR ELIZABETH LINT: R&D Ventures, LLC, 44 Clover Street, Belmont has applied to request approval of the LLC holding OAP10092 for 10 spaces 11 Wendell Street.

CHAIR NICOLE MURATI FERRER: This is

actually -- this is an existing application, but because these licenses -- or an existing license, but because these licenses are attached to the land, this is how we were kind've recommended to go about it to do the process, so that we can correct our records in terms of who is currently at the location, and nothing has changed other than a person that's there, and we do have the operating agreement and everything else, so I vote to grant.

FIRE CHIEF GERALD REARDON: Second.

CHAIR NICOLE MURATI FERRER: Granted.

**HAS FOOD PARK, LLC D/B/A NACO TACO**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Notice of one-day amendment to existing license -

HAS Food Park, LLC doing business as Naco Taco,  
279 Massachusetts Avenue, for a vintage bike show  
on May 14, 2016 from 4:00 p.m. to 1:00 a.m.;;  
closing off Village Street, a private way owned

by MIT, for service of food and alcohol. Access to the street is only through the restaurant.

CHAIR NICOLE MURATI FERRER: This is an MIT owned way.

EXECUTIVE DIRECTOR ELIZABETH LINT:  
Uh-huh.

CHAIR NICOLE MURATI FERRER: Quite frankly, I would like something from MIT before I vote on this. We have time. It's on May 14.

FIRE CHIEF GERALD REARDON: The question is this is a fire lane. So I don't know if they're -- what they're doing as far as obstruction, but bringing -- I don't know what the plan is.

CHAIR NICOLE MURATI FERRER: Also there floor plan is not very descriptive. It just has like the back and forth. I don't know if they're planning to use this street for people to walk around it because it doesn't look like they have

any tables or chairs or anything like that.

EXECUTIVE DIRECTOR ELIZABETH LINT: They just wanted the street open for people, not closed off to people.

FIRE CHIEF GERALD REARDON: If they're not putting obstructions out there, I don't have any problem with them closing it off for pediatricians only.

CHAIR NICOLE MURATI FERRER: It says end of the street would be closed off on both sides. But they would have to close it somehow if they're making their premises contiguous.

FIRE CHIEF GERALD REARDON: Right. Usually they use moveable barriers that are easily moved. The biggest issue is when they start setting up tables and chairs, that's not something readily moveable in an emergency.

CHAIR NICOLE MURATI FERRER: Let's get further information on them what exactly they

plan to do at Village Street. And I personally would like something from MIT saying that they do have access and allow them to be serving food and alcohol because we don't know what their thought on it is.

**ROBERT RUSSELL (WESTPORT RIVERS, INC)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Robert Russell, manager, on behalf of Westport Rivers, Inc has applied for approval to sell wine at the Kendall Square Farmer's Market Wednesday's from May 11, 2016 through October 26, 2016 from 11:00 a.m. until 6:00 p.m.

CHAIR NICOLE MURATI FERRER: What is this?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Farmer's Market.

CHAIR NICOLE MURATI FERRER: Who is it?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Robert Russell, Westport Winery.

CHAIR NICOLE MURATI FERRER: No, I don't -- oh. I got it. It's on the second page.

EXECUTIVE DIRECTOR ELIZABETH LINT: They have been operating at the Farmer's Market for several years.

CHAIR NICOLE MURATI FERRER: We have the permit or agricultural stuff here.

Granted.

**THOMAS CANCELLIERE (CLOVER FAST FOODS, INC)**

EXECUTIVE DIRECTOR ELIZABETH LINT: Thomas Cancelliere on behalf of Clover Fast Foods, Inc to acknowledge the change of address by Assessors Office from 5 Cambridge Center to 355 Main Street.

CHAIR NICOLE MURATI FERRER: So acknowledged.

**COMMISSIONERS TO DISCUSS FEES**

EXECUTIVE DIRECTOR ELIZABETH LINT: The Commissioners will discuss fees for the newly

accepted wine, malt and cordials license.

CHAIR NICOLE MURATI FERRER: Since the City Council now accepted the provisions of 138 that allow us to issue cordials in the curb permits, we have to figure out what the fee on those would be. I don't know if you guys want to think about it. We don't have any pending applications, so it's not like it's super pressing. We should probably think about it.

FIRE CHIEF GERALD REARDON: Do you have a recommended fee schedule with something balanced between?

CHAIR NICOLE MURATI FERRER: I will be very honest, I do not. I had one, but then I was corrected into how we actually issue our fees. I was misinterpreting how we -- how our fee schedule is presently at. I thought our newly licensed fee was one year and every year they would pay the second fee which is the renewal fee



and now I know it's not. So I think that means we would have to kind of figure out kind've like in our current structure what we want to do.

FIRE CHIEF GERALD REARDON: You will think about that for us before the next week meeting?

CHAIR NICOLE MURATI FERRER: For us? Fine. I will think about it. And I will come up with some kind of recommendation. Shouldn't really be -- obviously, it should be less than an all alcohol.

FIRE CHIEF GERALD REARDON: Right, a balance between the two.

CHAIR NICOLE MURATI FERRER: There are some administrative costs with it, so. All right, we'll look into it.

Is that it?

EXECUTIVE DIRECTOR ELIZABETH LINT:  
That's all I have.

CHAIR NICOLE MURATI FERRER: We're done.

Thank you.

(The meeting was adjourned at 5:51 p.m.)

# ERRATA SHEET

INSTRUCTIONS: After reading the transcript, note any change or correction and the reason therefor on this sheet. Sign and date this errata sheet.

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I have read the foregoing transcript, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

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## CERTIFICATION

Commonwealth of Massachusetts

Norfolk, ss.

I, Jill Kourafas, a Notary Public in and  
for the Commonwealth of Massachusetts, do hereby  
certify:

That the hearing herein before set forth  
is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 22nd day of April 2016.

-----  
Jill Kourafas  
Certified Shorthand Reporter  
License No. 14903  
Notary Public

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