

CAMBRIDGE LICENSE COMMISSION HEARING
CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR NICOLE MURATI FERRER

POLICE COMMISSIONER CHRIS BURKE

FIRE CHIEF GERALD REARDON

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

AT: Cambridge Police Headquarters
Robert W. Healy Public Safety Building
125 Sixth Street
Cambridge, Massachusetts

DATE: Tuesday, June 21, 2016

TIME: 5:00 p.m. to 7:10 p.m.

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P R O C E E D I N G S

June 21, 2016

EXECUTIVE DIRECTOR ELIZABETH LINT: This is the License Commission agenda for Tuesday, June 21, 2016. It is 5:00 p.m. We're in the Robert W. Healy Public Safety Building, 125 Sixth Street, Community Room.

Before you are Commissioners: Chair Nicole Murati Ferrer and Police Commissioner Christopher Burke.

And we're going to go out of order.

CHAIR NICOLE MURATI FERRER: Yes. Is anyone here to speak on the proposed changes to the rules and regulations of the Commission?

(No response.)

It's 5:01 p.m. We'll do it at the end of the meeting as well in case anyone changes their mind.

We'll move on to the applications --
actually, we'll move on to a disciplinary matter.

DISCIPLINARY:
GURWINDERJIT SAINI

EXECUTIVE DIRECTOR ELIZABETH LINT:

Disciplinary matter: Gurwinderjit Saini, holder
of a Cambridge Hackney Driver's License #29473
due to an alleged assault on another cab driver.

CHAIR NICOLE MURATI FERRER: Please come
up everybody that will testify. Come to this
table.

If you could swear them all in, Ms. Lint,
please?

(WITNESSES, SWORN.)

CHAIR NICOLE MURATI FERRER: Take a seat.
Thank you. Good evening. Could you please state
your names for the record?

RAKESH NARULA: Rakesh, last name Narula.

CHAIR NICOLE MURATI FERRER: Can you

spell both your first name and last name?

RAKESH NARULA: R-A-K-E-S-H.

THE REPORTER: Say it one more time.

CHAIR NICOLE MURATI FERRER: R-A-K-E-S-H.

RAKESH NARULA: N-A-R-U-L-A.

CHAIR NICOLE MURATI FERRER: Thank you.

GURWINDERJIT SAINI:

G-U-R-W-I-N-D-A-E-J-I-T. Last name is S-A-I-N-I.

CHAIR NICOLE MURATI FERRER: Thank you.

BENNY SZETO: Benny Szeto, B-E-N-N-Y,
Szeto, S-Z-E-T-O.

CHAIR NICOLE MURATI FERRER: And,
Officer, could you please state where you're
currently --

OFFICER BENNY SZETO: I'm the Hackney
officer assigned to the License Commission.

CHAIR NICOLE MURATI FERRER: Thank you.
We'll start with you, Officer Szeto, and then
move to Mr. Saini.

OFFICER BENNY SZETO: I'll be reading a report written by Officer Rosa.

"On May 13, 2016, 11:15 a.m. a cab driver waiting for a fare in front of 50 Broadway reports another cab driver ran up to him unprovoked and punched him several times before getting back into his car and driving away.

Victim reports that he does not know what provoked suspect to attack him, but that in the past, they've directed verbal insults at each other over jumped fares. Victim did not report any injuries and declined any medical assistance.

On May 13, 2016, 11:15 a.m. Mr. Rakesh Narula, a cab driver, waiting for a fare in front of 50 Broadway, reports that another cab driver ran up to him unprovoked and punched him several times before getting back into his cab and driving away. Mr. Narula states that he was parked in the taxi stand talking with a few other

cab drivers when another cab driver, Mr. Gurwinderjit Saini, came running up behind him and punched him approximately three times on his left ear. Mr. Narula states that after being pushed, Mr. Saini got in his white Toyota Siena taxicab and drove eastbound on Broadway towards the Longfellow Bridge into Boston.

Mr. Narula states that he does not know what provoked Mr. Saini to attack him, but that in the past, they've directed verbal insults at each other over jumping fares. Mr. Narula did not report being injured and declined any kind of medical assistance.

Mr. Munir Salah of Lynn, Mass and Mr. Simarjeet Singh of Somerville both were speaking with Mr. Narula and witnessed Mr. Saini punching Mr. Narula. Mr. Singh was able to take a brief cell phone video of attack which he sent to Mr. Narula's phone and will save video on

phone for any further investigative purpose.

ECC, as well as Mr. Narula, contacted Cambridge Hackney Division and informed office of incident."

CHAIR NICOLE MURATI FERRER: Officer Szeto, did you further investigate this matter?

OFFICER BENNY SZETO: Yes.

CHAIR NICOLE MURATI FERRER: Can you tell us what you found?

OFFICER BENNY SZETO: It was over, I guess, insults against Mr. Saini -- Mr. Narula -- no, Mr. Saini was saying that "You were hungry?" He was saying you were hungry in some other language or something.

RAKESH NARULA: We're talking with other guys, three or four guys was there, and we were talking about any -- not him, other things. Not about him.

OFFICER BENNY SZETO: But he also passed by you and says you were hungry.

RAKESH NARULA: We're talking. I don't know who said that.

CHAIR NICOLE MURATI FERRER: Why don't we -- let's switch it down. Mr. Narula, why don't you tell us what happened?

MR. NARULA: I was sitting on the stand near the Marriott. I was maybe third or fourth on the stand, and that's very slow these days, business, so we're standing outside and we were talking about like a general -- I don't know what was we were talking. And he passed by and made a U-turn and he park in the back like maybe a hundred feet from where we are. He parked the car near the fire hydrant and the run on their side. We thought he's going to the restroom. Sometimes you park on the wrong side and then go run for the restroom. We are sitting there

talking, and he come and right away he punch on me three or four time and abuse me in -- in Indian language and then he run away back. And then run away back to the car and he drive through to. That's it. Then I call 911 and then that's what it did happen.

CHAIR NICOLE MURATI FERRER: Do you have the video by any chance?

MR. NARULA: Yes.

CHAIR NICOLE MURATI FERRER: Do you have it with you?

MR. NARULA: I have with me. I gave it to him, also I gave it to the other investigation officer, Arkos.

OFFICER BENNY SZETO: Officer Acos?

MR. NARULA: No.

CHAIR NICOLE MURATI FERRER: Officer Szeto, you've watched the video?

OFFICER BENNY SZETO: He showed me it,

yes.

CHAIR NICOLE MURATI FERRER: Can you tell us what is on the video?

OFFICER BENNY SZETO: Shows him running up to him, taking a swipe at him and running back to his cab like he described.

CHAIR NICOLE MURATI FERRER: Have you had other issues with Driver Saini?

OFFICER BENNY SZETO: No. Complaint-wise no.

CHAIR NICOLE MURATI FERRER: Mr. Saini, do you want to --

GURWINDERJIT SAINI: Yes, ma'am. He totally said, "I'm going to hide and pick up the fare." I'm just coming from the Broadway. They have a U-turn over there because you don't find any space to park there, you go back, so I try to go back and he say to me in my language "bhookh" mean hungry, so I go first time and then he come

back, he say me second time. And then I come back, he said third time, then I stopped, and the cab at the end of the back over there on the corner of Ames Street and the Third Street, then I come fight with him. I said, "Now say it again." He told me one more time again. And it happened in front of his car. He's my business. He's over there on the top of the Marriott. I'm not going to pick up any fare over there. He mentioned I'm going on front of the Marriott trying to go inside, go for bathroom. I'm not going anywhere. I'm just passing because the day is so slow, I'm trying to look to find any fares back there. I'm parking -- like a back space there, they have construction there, I wait for two hours, they just move me, so they say -- maybe my day is bad so I'm upset, okay, so that's -- I don't go to pick up any fare. I already have a fare at that time. My own job. And I

already explained, and you can ask for the business what happened. He already let you know what happened over there. And he told me he started. He trying to harass me. It happened like a long time before. I'm driving handicapped man also. It happened three or four time with me. I'm trying to pick up the child. They gave me the dispatcher for the handicap there. He park there to pick up the job. He stopped on the partition. He just come back and jump. Again he told me "Teach, teach, teach, teach."

CHAIR NICOLE MURATI FERRER: Did you hit him?

GURWINDERJIT SAINI: At that time, no. At this time he tried to hit me also, but I tried to pretend him, and suddenly, I hit him. He tried to, then I already go there. And at the end, we don't see anything when I coming and what happened.

CHAIR NICOLE MURATI FERRER: So let me see if I understand your story. Mr. Narula insulted you?

GURWINDERJIT SAINI: Yes.

CHAIR NICOLE MURATI FERRER: Three times?

GURWINDERJIT SAINI: Three times.

CHAIR NICOLE MURATI FERRER: So you went and confronted him and asked him to insult you the fourth time?

GURWINDERJIT SAINI: Yes.

CHAIR NICOLE MURATI FERRER: He did and you hit him?

GURWINDERJIT SAINI: Yes. He tried to hit me and I did -- before he hit me I try to pretend (sic-protect) myself, and I hit one or two times. I'm not lying.

CHAIR NICOLE MURATI FERRER: Officer Szeto, did you see in the video Mr. Narula trying to hit Mr. Saini?

OFFICER BENNY SZETO: I didn't see that.

I just seen him run up to the --

CHAIR NICOLE MURATI FERRER: Do you have the video with you, by any chance? Could we see it, please?

Why don't you do me a favor, give it to Officer Szeto to hold so that he can show him and he can tell me if that's the video and we'll take a look at it. Thank you.

MR. NARULA: Thank you.

(Playing video.)

CHAIR NICOLE MURATI FERRER: Is that the video of what happened?

GURWINDERJIT SAINI: They just record it after when I hit him.

CHAIR NICOLE MURATI FERRER: Officer Szeto, why don't you come up?

GURWINDERJIT SAINI: And they don't record everything before.

MR. NARULA: We don't know what he's going to do, that's why.

(Playing video.)

CHAIR NICOLE MURATI FERRER: Please.

GURWINDERJIT SAINI: This is my witness.

CHAIR NICOLE MURATI FERRER: Sir, are you going to testify? So please stand up and raise your right hand because you didn't get sworn in before.

(WITNESS, SWORN.)

CHAIR NICOLE MURATI FERRER: Sir, please state and spell your name for the record.

EUGENE KAKOU: Last name is K-A-K-O-U.
The first name is Eugene, E-U-G-E-N-E.

CHAIR NICOLE MURATI FERRER: And how do we pronounce your last name?

EUGENE KAKOU: Kah-who.

CHAIR NICOLE MURATI FERRER: Mr. Kakou, can you tell us what you observed that day?

EUGENE KAKOU: I was out of car, and I think I saw him pass two or three times, okay.

CHAIR NICOLE MURATI FERRER: When you say "you saw him pass two or three times," who are you talking about?

EUGENE KAKOU: Him.

CHAIR NICOLE MURATI FERRER: Say his name for the record so it's clear.

EUGENE KAKOU: Tony. I call him Tony.

GURWINDERJIT SAINI: That's my nickname.

CHAIR NICOLE MURATI FERRER: Tony is your nickname?

EUGENE KAKOU: Only name I know is Tony. And I pass two or three times. He was already in line. That one was third or fourth car, and suddenly, there was talking outside and in that language because I don't understand that language. I'm from Africa, they're from India, and I look the other side cross the street and

come to meet him and get out of the car, and say "Guy, whoa, whoa, whoa, come on. We can't do this on a route. And after that, I don't know -- I don't know -- just that way. Two- or three-minute thing.

CHAIR NICOLE MURATI FERRER: So you saw them exchanging words. Did you see Tony hit Mr. Narula?

EUGENE KAKOU: Hit him, yes, I think so because not like -- not come to the body something like that. He -- no, no, no.

CHAIR NICOLE MURATI FERRER: Do you have questions?

POLICE COMMISSIONER CHRISTOPHER BURKE: Yeah.

Mr. Narula, can you tell me how long have you known this gentleman?

MR. NARULA: Long time.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Long time, how long?

MR. NARULA: In the business or in the --

POLICE COMMISSIONER CHRISTOPHER BURKE:

Ever.

MR. NARULA: Maybe seven, eight years.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Seven years?

MR. NARULA: Five, seven years.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Have you had any conflict with him in the past?

MR. NARULA: No.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Have you had any hard feelings between each other in the past?

MR. NARULA: No. We're like a business driver. Like sometime he pass by and sometimes I pass by and sometimes he say it, but not like a hard thing we said, or I said to him, no. We just talking on the other day outside because I

said like a business is slow, we're sitting outside, four or five people, and we're talking, and he pass by and I don't know who said, I don't know -- somebody said or no and he go and make U-turn and then -- he did an illegal U-turn and stop the car on the fire hydrant and run to me. I was like more than a hundred feet away from him. And we're are still talking. We don't know what is going on.

And when he come to me, he punch and then other guy "What's going on?" Then he make a video. That's why if we know, he's coming to punch me, then they make video before. Before like nobody knows what is going on. It never happened to me and he come -- punch me three times here. At least three times. And then I was like this. He punched me three times. I had to protect myself, but he punched me like here three times and then he run away back and then he

abuse me that time.

He hit me. And you can listen on the video, and if you have any interpreter, India to English, you can ask what he said on that video. And he abuse me. That's like a big abuse, like, I'm sorry in my language, he said, "Mother fucker" like the same in my language. And he -- then he run away to the car towards the Boston. I don't know where he go after that.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Okay.

MR. NARULA: And I never said nothing to anybody. You can get the witness from taxi stand. Ask anybody. I never -- first thing you can't punch anybody and you can verbally do anything, but you can't punch anybody, right?

POLICE COMMISSIONER CHRISTOPHER BURKE:

That's good. Thank you.

Officer Szeto, tell me, has this been

assigned to an investigator?

OFFICER BENNY SZETO: Yes. Detective Mahoney.

POLICE COMMISSIONER CHRISTOPHER BURKE: Are you aware what the status is of the investigation?

OFFICER BENNY SZETO: I believe he put in for a complaint, a hearing, a clerk's hearing.

POLICE COMMISSIONER CHRISTOPHER BURKE: That's yet to be scheduled?

OFFICER BENNY SZETO: As far as I know, yes.

POLICE COMMISSIONER CHRISTOPHER BURKE: So, Tony, do you deny -- did you come into physical contact with Mr. Narula during this exchange?

GURWINDERJIT SAINI: What do you mean "physical"?

POLICE COMMISSIONER CHRISTOPHER BURKE:

Did you touch him? Did you come into contact?

GURWINDERJIT SAINI: First, when I already talked with him and just park the car back there. It's like between top cab, he's standing on the top cab.

POLICE COMMISSIONER CHRISTOPHER BURKE: I get that part. Can we just fast forward?

You admitted earlier you did punch him, you did strike him?

GURWINDERJIT SAINI: He tried to be protected each other, so maybe I hit like, I guess, one or two times. I'm not saying no.

POLICE COMMISSIONER CHRISTOPHER BURKE: Okay. Thank you.

CHAIR NICOLE MURATI FERRER: Do you deny calling him what he just said you said?

GURWINDERJIT SAINI: What do you mean?

CHAIR NICOLE MURATI FERRER: Well, I don't want to use the adjective.

GURWINDERJIT SAINI: He started first. He harassed me first when I already pass, like two or three time. Then my -- I upset, you know, I tried to be -- and I really upset, you know. When I --

CHAIR NICOLE MURATI FERRER: Let me ask you a question: What was your intent when you went up to see him?

GURWINDERJIT SAINI: I already pass over there, ma'am.

CHAIR NICOLE MURATI FERRER: I know, but you parked your car.

GURWINDERJIT SAINI: No, I didn't park it. When I already go first time, my window is open, they standing over there, and he told me in my language one time, I come back, he say me second time, third time he say it, fourth time I come back over there.

CHAIR NICOLE MURATI FERRER: But you got

out of your car?

GURWINDERJIT SAINI: After fourth time.

CHAIR NICOLE MURATI FERRER: Why? What was your intent? What were you going to do?

GURWINDERJIT SAINI: I said, "What you problem? Why you told me? You having any problem," you know, might mean something like that one. He tried to harass me.

CHAIR NICOLE MURATI FERRER: So you went to confront him?

GURWINDERJIT SAINI: Yeah. Why you tell me, you know. You have any problem? You have like issue, you know, like a Hackney officer over there, you have to be call. I do any problem with him or anything. I have it before problem with him. I already call.

CHAIR NICOLE MURATI FERRER: Have you ever had a passenger say something to you that upset you?

GURWINDERJIT SAINI: For him?

CHAIR NICOLE MURATI FERRER: No. Your passenger. You're a Hackney driver, right, you drive a cab?

GURWINDERJIT SAINI: Yes.

CHAIR NICOLE MURATI FERRER: Have you had a passenger ever say something that upset you?

GURWINDERJIT SAINI: No.

CHAIR NICOLE MURATI FERRER: If you were to have a passenger upset you, is this how you're going to deal with it?

GURWINDERJIT SAINI: I don't say anything to my passenger.

CHAIR NICOLE MURATI FERRER: But you say something to someone else and you start a fight?

GURWINDERJIT SAINI: Because he try to be -- like he harass me many times, you know. That's what happened. I'm sorry, that's what happened. I'm sorry. That's what happened. Not

the first time. It's like a third, fourth. I know him almost like -- he said like seven year. I know when he's coming from India. He came in like 2000 something. I since know him. He lying saying seven years. I worked with him long time in other store. Also, his wife is working over there. She's very nice, talk with her very nicely. And he -- I see him like seven years. I know where I'm working. I start working at Nikki's Market in Cambridge in like 1999 and I know him almost since from there. And he say I'm just know him five year. He's lying. I know him since from 1999, 2000.

CHAIR NICOLE MURATI FERRER: To be quite frank, I don't care how long you two have known each other.

What concerns me is the fact that you actually went and confronted him and then struck him. That's what bothers me. Because quite,

frankly, you're in a business where you're supposed to keep calm. You're in a business servicing the public. We're putting the lives of people in your hands. And what you're telling me is if someone upsets you this is what you're going to do.

GURWINDERJIT SAINI: No, in my customers, they never upset. I'm driving like a cab almost like six, seven years. It never happened. Any complaints also, and even any single complaint or anything. Even you can check my history. Never any complaint or anything that I do bad thing or I do anything. Not any single complaint. All my drivers are out there, you know, and since, when I I'm driving, I don't have any customer complaint, anything. I don't abuse any customer. No like a fight or anything with a customer, nothing.

CHAIR NICOLE MURATI FERRER: I would like

to take this under advisement.

POLICE COMMISSIONER CHRISTOPHER BURKE: I would agree with that.

CHAIR NICOLE MURATI FERRER: And we can check also the status of the complaint as well.

We'll take this under advisement and vote on it at our next meeting, and you will receive notification of it, okay?

And our next meeting for the record is June 28th.

MR. NARULA: Next week.

CHAIR NICOLE MURATI FERRER: Next week on Tuesday.

EXECUTIVE DIRECTOR ELIZABETH LINT: June 28th is the License Commission.

CHAIR NICOLE MURATI FERRER: June 28th is License Commission, 831 Massachusetts Avenue.

EXECUTIVE DIRECTOR ELIZABETH LINT: At 10:00 in the morning.

**APPLICATION:
GODEN STREET, LLC D/B/A
THE RISING**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Goden Street, LLC doing business as The Rising, holder of a common victualler all alcohol license at 1172 Cambridge Street has applied for an alteration of premise to approximately 3000 square feet street level space with dining room, bar area with bar, kitchen in the rear, basement for storage, two entrances on Cambridge Street and one egress in rear. Approximately 240 square feet seasonal patio on the public sidewalk with seating for 20.

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

KEVIN TREANOR: Good evening, Madam Chair. My name is Kevin Treanor, and I'm the owner/manager --

THE REPORTER: Kevin, you have to spell your first and last name.

KEVIN TREANOR: K-E-V-I-N, T-R-E-A-N-O-R.

CHAIR NICOLE MURATI FERRER: Thank you. And you're saying that you were...?

KEVIN TREANOR: I'm the owner and manager of The Rising Bar and Restaurant Tavern in Inman Square.

CHAIR NICOLE MURATI FERRER: Sir, your name?

IAN DOODY: Ian Doody, I-A-N, D-O-O-D-Y. I'm the bar manager of The Rising in Inman Square, Cambridge.

CHAIR NICOLE MURATI FERRER: Thank you. Mr. Treanor, tell us the public need for the alteration of premises.

KEVIN TREANOR: Well, we went to the Cambridge Public Works and we asked them would there be any chance of getting outdoor seating

for our premises, and the ideal location would have been Cambridge Street. But they suggested that where we could put would be on Tremont Street where we -- I think you should have a copy of it.

CHAIR NICOLE MURATI FERRER: Why do you need the patio?

KEVIN TREANOR: Well, basically for summer and extra business. I have -- basically, the way the people are going to eat now, they like to sit outside in the summer.

And we got the space on the side of Tremont Street which seemed a perfect location for a small patio. I just liked --

CHAIR NICOLE MURATI FERRER: Have your customers been asking for outside seating?

KEVIN TREANOR: Actually, if I could -- we went to the wrong spot for the hearing, of course. I just -- a letter of support. We have

a petition from some of the neighbors, at least up to 50. And I don't know if you need these.

Some pictures. The map. And some of the old pictures and that's what it used to look like.

CHAIR NICOLE MURATI FERRER: Thank you.

KEVIN TREANOR: I think that should be okay.

CHAIR NICOLE MURATI FERRER: Do you have the green cards by any chance?

KEVIN TREANOR: Is that not them?

CHAIR NICOLE MURATI FERRER: No. This is -- have you not gotten the green cards back?

KEVIN TREANOR: That was what --

CHAIR NICOLE MURATI FERRER: No, these are the receipts when you send them out. The green cards that go with the letter that come back, have you gotten them back yet?

KEVIN TREANOR: I was out of the country

for the last week, so...

CHAIR NICOLE MURATI FERRER: And the hours that you're proposing for the patio?

KEVIN TREANOR: Well, I know we actually went to every neighbor and dropped off another letter besides the abutters, and we're proposing that we would open 8:00 not 10:00, if that's possible.

CHAIR NICOLE MURATI FERRER: Open what time?

KEVIN TREANOR: Finish at 8:00 p.m. in the evening.

CHAIR NICOLE MURATI FERRER: Close the patio down at 8:00 p.m.?

KEVIN TREANOR: 8:00 p.m., yeah.

CHAIR NICOLE MURATI FERRER: And I wonder, is this as a result of some of the neighbors saying the issue with the noise and Tremont being a residential street, is that how

this came about?

KEVIN TREANOR: Yeah, pretty much, yes.

CHAIR NICOLE MURATI FERRER: You have been open since January of this year?

KEVIN TREANOR: Yes. I also been in business in Cambridge for 25 years in different locations.

CHAIR NICOLE MURATI FERRER: And there had been -- when the license was granted, there was going to be a six-month review with regard to whether there were any complaints, and I note, for the record, we haven't received any to date.

I also note that we're not at the six month officially. It will be later this month, but -- actually next month.

KEVIN TREANOR: The reason we got this in the summer we tried to get it for the June 21st hearing, and as soon as we got on the hearing list, we went to every -- we mailed out all the

abutters, we went personally to everyone on Tremont Street with a letter and a plan of what we were planning to do. We just thinking, you know, in this day and age, an out patio is such an addition. A lot of people are going to different areas to sit outside and we would like some of that business, to be honest.

CHAIR NICOLE MURATI FERRER: I note for the record that we have a letter in support from Cambridge Local First, one in support from Councillor Toomey. Sorry. I'm sorry. One in opposition from Councillor Toomey. And we have various emails in opposition as well and the emails are more specific in terms of the opposition. One is from Steve, Stephen Michaels. The other one is from Steven Halpern. Ashley Matoes, Mora Kilcumhan, and Tim Stein and Jean Garrison who submitted together. And Mark Franklin and that's it. And you can read all of

these. I'm not sure if you have seen them yet.

KEVIN TREANOR: No.

CHAIR NICOLE MURATI FERRER: But I'll give them to you now. The bulk of them, they're concerned about the noise on Tremont Street. They all raised the issue when the license was first granted and considered, the issue with regard to Tremont being a residential street was raised, and that part of the reason why those blue shutters were put so that the noise would not come out and wouldn't bother people.

I do also note for the record that a lot of them have said that they have not heard any noise to date come out from those, but that they're afraid that the addition of the patio, the people outside will create that issue.

Do you want to say anything?

KEVIN TREANOR: Yeah, we're concerned about our neighborhood because, you know, I have

been part of the Cambridge neighborhood for 25 years. I've lived in Inman Square for many years. I've had a business in Central Square for over 21 years, so I'm very aware of the neighborhoods and I've talked to some of them personally as well as on the phone.

That's why we wanted to reduce the time back to 8:00, and even if we went on a trial period, I -- we'll have to have someone out there full-time when we're open because it's not a direct line sight of the bar which is for the Licensing Commission. So we would be manning that full-time from whenever we're open, say, 11:00 a.m. to 8:00 p.m., there would be someone there at all times.

And I think we can, with our experience in the business, I think we could control the sound pretty well, and at 8:00, I don't think that's really that late, you know, in the

evening, especially in the summer, it's still pretty bright, and so, you know, it would be a big concern because we're still under a six-month revision, and we certainly thought if it was going to be a problem, that we won't run it right which I know we will run it right, we would definitely close it down if it was a problem, you know.

CHAIR NICOLE MURATI FERRER: Questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:

Well, I have a number of concerns particularly with the layout plan. I did a site visit today driving by just to get out and get the lay of the land and whatnot. And I see a couple concerns jump out, one of which being the fire hydrant.

KEVIN TREANOR: I can address that now.

POLICE COMMISSIONER CHRISTOPHER BURKE:

The location of your partition for the patio, I would have liked to have the Fire Department here

to weigh in on this, but I think that the work area around the hydrant is severely limited by the partition, and I have some concerns about that; likewise, I think what's not incorporated in the plan is the tree well.

It's my understanding that you can see it a little bit in the photograph, but there's a cut out of a tree well, and it's my understanding that the neighbors have asked the city to -- it was left open for the purpose of planting a tree.

And I think given where the location of the tree well and where your patio partition is, it's gonna really pinch down the access on that section of the sidewalk, I think to the point where it would really limit access for that part of the sidewalk.

I also have genuine concerns about the windows that overlook it, not necessarily in the

building, but the abutters across the street.

Warm summer nights typically that -- I've worked in that neighborhood a number of years, the windows are open, the sound carries. Even a casual conversation voice can tend to travel between the buildings. And I can tell you I've got some genuine concerns.

KEVIN TREANOR: Yeah, I agree with what you said.

Regarding, first off, the fire hydrant, we've already spoken to the fire lieutenants and they told us if there are 23 inches on the right side, they're fine. So we have more than 23 inches. We have over two and a half feet.

I talked with two lieutenants in response to the Fire Department, and we had them look at the plans before we drew them up.

Regarding the tree thing, that was the first time I heard they were going to put a tree

there.

We talked to Public Works, we agreed to the Public Works we would fill it in exactly the same what is there right now in concrete. Fill in that tree. That's the first -- they never mentioned there was a tree going in there.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Well, it's my understanding that area was left open for the purpose of planting a tree and I think typically with the bump-outs on the sidewalk, the trees are part of the plan.

KEVIN TREANOR: That's the first time I heard that.

POLICE COMMISSIONER CHRISTOPHER BURKE: I

could tell you, I would not look to approve it based on the position of the tree.

CHAIR NICOLE MURATI FERRER: Uh-huh.

POLICE COMMISSIONER CHRISTOPHER BURKE:

And other factors that are still not resolved as

far as the other concerns. And I would -- while it may be 23 and a half inches, I would still want to hear that from the Fire Department because I have been to working fires, I know how much area they need to maneuver.

I think that given -- not only the tight-packed residential area, the Fire Department doesn't really have time to be moving partitions and structures to gain access to the fire hydrants, and I think that that would be poorly placed.

CHAIR NICOLE MURATI FERRER: Why couldn't the patio go on Cambridge Street as an alternative?

KEVIN TREANOR: Two particular reasons: Coming off Tremont Street -- coming off Cambridge Street, there's the handicap ramps and they basically converge into one area, and that basically, when you bring in the ingredient of 1

to 12, whatever it is -- I think it's 1 to 12 -- it brings up so much space that you would be right in front of the bar where there's a seat, right, so that's the problem with Cambridge Street. Cambridge Street would be a great spot for us ideally.

CHAIR NICOLE MURATI FERRER: Okay. Under advisement?

POLICE COMMISSIONER CHRISTOPHER BURKE: I would agree with that.

CHAIR NICOLE MURATI FERRER: Okay.

Before we take any other testimony on this, just as an FYI, I need your abutters' affidavits, and I also need you to fill out the alteration of premises on the petition, which is not filled out.

Anyone care to speak in support of this petition?

POLICE COMMISSIONER CHRISTOPHER BURKE: I

would want to note for the record that I did review the petition and I didn't see any immediate abutters, while there was a couple on Tremont Street, Somerville residents who signed the petition, I think the only one in Cambridge was 61 Tremont Street, which is somewhat down the block.

I would have at least like to have seen some of the abutters in the immediate area to have signed onto that, and the fact that they hadn't, would also be of concern.

KEVIN TREANOR: Actually, everyone living above us has signed it, 1174 Cambridge Street.

POLICE COMMISSIONER CHRISTOPHER BURKE: Yeah, but that's the other -- that's not on that side street.

KEVIN TREANOR: Okay.

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

(No response.)

Anyone in opposition to this petition?

If you can get closer here only so that the stenographer can pick up your names and --

POLICE COMMISSIONER CHRISTOPHER BURKE:

Do you want to move a chair over, that might be more comfortable for folks?

KEVIN TREANOR: Sorry, Madam Chair, there's a notice of mailing to abutters, is that it?

CHAIR NICOLE MURATI FERRER: Yes.

For anyone that will speak, please state and spell your name and give us your address and the basis of your opposition, that would be great. Thank you.

SARAH GIBSON: I'm Sarah, S-A-R-A-H, Gibson, G-I-B-S-O-N. I live at 73 Tremont Street.

So less than a year ago we were here in

August when Mr. Treanor originally applied for the transfer of the license for The Rising, and I think in that hearing neighbors raised questions and concerns about noise.

And as I think neighbors who have submitted letters to the Commission have noted, in Mr. Treanor's remarks to this Commission, he specified that noise control would be -- particularly with respect to Tremont Street -- would be something that he would pay attention to.

And, in fact, at the decision making hearing on August 27th, one of the stipulations for approval of the application was to reducing some levels after 9:00 p.m., whether there's closing of the windows or something like that.

So noise was obviously of great certain to the neighborhood.

I think, unfortunately, with the

application for the patio, it seems like the noise is being moved from inside the bar out onto the street.

And I think this is exactly what the neighborhood did not want. And we were, I think, pretty vocal in our opposition to that.

I would also note that I think there was concern back in August because Mr. Treanor had not approached the neighborhood about his plans for The Rising, and a meeting with folks in the neighborhood happened only after the first hearing here on August 11th. And I would say again that although there seems to have been a petition circulated, there was no outreach to people on the block directly affected by the proposed patio.

And so, we have had no opportunity to meet with Mr Treanor on this issue.

I think my opposition to the application

is principally the noise and moving patrons out of the bar into an area where there's less control over conduct of patrons, alcohol is being served, obviously, and it just seems to be exactly the very situation that neighbors wanted to avoid. I would ask the Commission to deny this application. Thank you.

CHAIR NICOLE MURATI FERRER: Thank you.
Anyone else?

STEVEN HALPERN: My name is Steven Halpern, H-A-L-P-E-R-N. The first name is S-T-E-V-E-N.

I live on 73 Tremont Street and have lived there since 1980.

The first thing I would like to do is provide the Commission with some photographs.

The first photograph will illustrate --

CHAIR NICOLE MURATI FERRER: Can you please show them to --

STEVEN HALPERN: I'm gonna give one to everybody. This is the residential nature of the neighborhood. This is looking down the road from across the street from where the bar would be.

The second photograph, I would like to present, is looking directly at the area in which the patio is proposed.

This is only the end of the patio would only be 20 or 30 feet from the nearest residence. The patio is across the street from residences and also from a Montessori School where children under the age of five are entertained and taught every day until about 5:00, I think, and they're taken out and they walk up and down Tremont Street with their teachers.

And it seems to me that is a questionable use of land, so close to a place with children where there will be open drinking of alcohol.

So this is looking at the patio. The

patio space is relatively narrow. The sidewalk that would be allowed would be behind the patio space where also the servers would have to go.

And so that area, even though there's six feet on the drawings for access to the patio, and for a sidewalk, that space is likely to be used for other purposes.

This seems completely inappropriate for a residential neighborhood. It seems completely inappropriate for a space across from a childcare center. By the way, if this had been a school, it would have been illegal.

One thing you also have to note is that there will be alcohol consumed, and that is the major, as far as we can tell, enterprise of this business. And, in fact, the signs on the marquee above the business say "Tavern" and "Bar." They do not say "restaurant" or anything else related to food, although they do serve food.

In addition to what Ms. Gibson noted about the hearings, I would note that at the hearing for the decision, there was further discussion about patrons going down Tremont Street, smoking on Tremont Street, rolling on Tremont Street, littering on Tremont Street, things we have over the years that I have been there when there has been a bar at that corner, were issues. And Mr Treanor said he would be very careful to make sure this wouldn't happen, and he would post somebody at his door to make sure that patrons didn't wander down and become nuisances on Tremont Street.

The proposal for this facility runs counter to everything that Mr. Treanor brought up as reasons that the community shouldn't have to worry, and that they should accept the transfer of the liquor license. It's in complete contradiction, and I think for that reason, it

should be denied.

I also would note, as the Commissioner noted at the beginning of this, that there has to be a public need for an extension like this. I think it's Chapter 138, Section 23.

Just for the record, I'll read it to you, the appropriate language.

CHAIR NICOLE MURATI FERRER: I think we're well aware of it, and we have your email, and it's part of the record. Thank you.

STEVEN HALPERN: So I don't see there's a public need here. There are many places people can get food and alcohol in the immediate area, ten blocks on either side.

I don't see lines waiting to get into The Rising. In fact, there's plenty of room there, as far as I can tell, whenever I've walked past, for more patrons if they were desirable. I think that ends my comments.

CHAIR NICOLE MURATI FERRER: Anyone else?

ERIN HART: My name is Erin Hart. I'm --

CHAIR NICOLE MURATI FERRER: I'm sorry.

If you can spell your name for the record?

ERIN HART: E-R-I-N, H-A-R-T. I live at 87 Tremont. I'm actually one of the abutters and I was --

CHAIR NICOLE MURATI FERRER: Did you say 27?

ERIN HART: 87. I'm one of the abutters that was notified. I was here actually before in August and actually spoke in favor of Kevin receiving the license transfer. I actually go to the restaurant once a week with my family. But I cannot see a reason for the patio, based on, as my neighbors have brought up, noise being a very big factor. And something I've noticed because my -- I have a front porch and I actually stand on my front porch quite often. So that bump-out

there, when trucks come down that street, they actually go up on that bump-out right where he's putting that patio.

I have a real big issue with that. Like, the DPW trucks when they're towing something, they're very large trucks, that's very narrow since they put the bump-out there. I feel you're one accident away from disaster there.

If Kevin puts the patio on Cambridge Street, we wouldn't have a problem with that. I mean, I even suggested maybe Somerville has something. I know a few restaurants in Somerville we have gone to that have taken up for the summer two parking spaces up in front. Maybe that's something to consider. I don't see the need for it. The noise does bounce off the tall buildings and it echoes all the way down the street.

And another issue I have is the

restaurant staff how they would bring the food or beverages out to the staff also. I have extensive restaurant experience. And are they going to come out the back door of the kitchen and come up the alley and slam the metal door every time because I, unfortunately, hear that often. Whether it's people going in there from the upstairs buildings to go and take their trash out, whether his guys are taking the toters out to the street at night, things like that.

My bedrooms are at the front of our house and we do hear it. You know, I'm going to be honest, it all echoes down the street, and I'm sure my neighbors hear it all the way down the street. I think you guys are in the middle, though. It's a concern. But I do like the restaurant. So I'm -- it's a very hard thing. But I even spoke to Kevin this morning. He called me personally this morning. And I was

honest with him. I said you just can't get behind it. It's a noise issue. It's a safety issue. There's -- it's just a weird location. So thank you. That's all I have to say.

CHAIR NICOLE MURATI FERRER: Anyone else?

DARREN STINEMAN. Darren, D-A-R-R-E-N, S-T-I-N-E-M-A-N. I am a resident at 88 Tremont Street. It's the actually the property immediately next to The Rising. We have a triple decker condo complex. I'm speaking on behalf of our association.

Like, Erin, I was very much for welcoming those guys to the neighborhood. You guys have done a great job. Great restaurant. I have and continue to be a loyal patron, but no issues what they have done to this point. They have been a great addition.

However, the noise is a real issue. As several people have noted, there are tall

buildings around, noise gets trapped. Living right next to the property, when folks that live in the apartment buildings above their business step outside for ten or 15 minutes, cigarette chat or whatever they're doing, it's difficult to hear what is happening inside my own house given that that's three people talking outside. Never mind having 15 or 20 people outside at once talking over one another, having alcohol. I can only imagine the difficulty I would have in my own house keeping things at a reasonable volume. And I think that my expectation is that we could have things that are reasonable volume given it's a residential street.

So, on that note, I would be opposed to the extension outside, but, again, great having you guys and I will continue to be a patron.

CHAIR NICOLE MURATI FERRER: Thank you.

Anyone else want to speak in opposition?

Sir, please state and spell your name and give us your address, that would be great.

HARVEY HALPERN: Harvey, H-A-R-V-E-Y, Halpern, H-A-L-P-E-R-N.

I'm a resident for 36 years at 73 Tremont Street. I had opposed The Rising going in. I think Kevin has done a fine job. I have eaten there many times.

But, we all brought the question of noise. He said, "Well, I'm going to be shuttering the windows on Tremont Street, and there won't be any noise coming out." And now to turn around and say "We're going to have a patio with people, 15, 20 people out there until 10:00 at night, every night." That's just really absurd. It goes against your whole point that you're going to try to keep the noise down. I'm very much in opposition to it. I think Kevin has gone a good job, but I strongly oppose any patio

on Tremont Street.

CHAIR NICOLE MURATI FERRER: Anyone else?

PAUL BRENEMAN: Paul Breneman,

B-R-E-N-E-M-A-N. I live at 77 --

CHAIR NICOLE MURATI FERRER: I'm sorry, I didn't catch that. B-R-E?

PAUL BRENEMAN: N-E-M-A-N. I live at 77 Tremont Street and I walk to The Rising there. I think it's a really nice place, but I'm opposed to having a patio on the outside. The neighborhood has had a history in the past of having a bar on the corner where there was a lot of spill out onto the street and creating a lot of commotion at night, and there's no way that there wouldn't be a lot of noise from having a patio there and people both being on the patio for an extended period of time, and then, you know, what happens is people get up and they go wandering down the street with their cell phones.

It would just add too much noise at night, I think. I think that concern was expressed when the initial hearings happened for The Rising. And like Harvey said, it was promised to shutter those windows to help with that, and this goes against that and will create too much disturbance.

CHAIR NICOLE MURATI FERRER: Thank you. Anyone else?

JAIME MATEUS: Hi. My name is Jamie, J-A-I-M-E, last name Mateus, M-A-T-E-U-S.

I'm a resident at 84 Tremont Street. I'm not one of the immediate abutters, but I'm an abutter to an abutter.

Kevin has, in fact, done a great job with the pub. I spoke with grave concern at the first licensing hearing specifically around the noise. They have been receptive to that. They closed the windows on Tremont Street. I have been a

customer there, great food, great Guinness. I will continue being a customer. It's an addition to the neighborhood.

My main concern is the noise and smoke that comes from people being in the patio, and those were my concerns last year and they remain my concerns. A lot of the members, I think, have talked about that. I won't repeat that. I think I share a lot of the concerns around noise.

I wanted to bring up a couple other issues that are relevant to this discussion. I got copies for everyone. So I have taken the map that was provided and updated it slightly with the existent tree well and a couple of points.

So there is an existing tree well there. In fact, there used to be a tree there when I first moved in. The tree was taken down. I don't know why. It probably had some disease or something. I'm not sure.

For some time there's been construction in the building with a big dumpster next to it. I always had it in the back of mind that once that is done to request to get parking and a tree there.

In fact, I have done that. I did that at the beginning of the month, and the last I heard from that process is that the tree request has been added to the planting list. So what I would like to know from them is a couple things: One, this is not just a request for a patio, but it's a request for a patio and the removal of an existing tree well, and I think that, you know, needs to be noted.

I think there is a, you know, the Parks and Urban Forestry Division of Cambridge has the responsibility to add trees with, you know, a mission, according to the Cambridge City Laws Chapter 8, Section 66, City Council hereby found

that preservation of existing trees and the promotion of tree planting is a public purpose that protects the public health, welfare, environment and aesthetics of the City of Cambridge and citizens.

You look at any house that's being put on the market on Tremont Street, it will probably have "tree-lined streets" in the description. It's also value to all of our properties.

So I believe that the residents request to have a tree reinstated there should take precedence over that. If you look at the map and you assume that the tree well does stay there, which I hope it does, then we have another problem when it comes to accessibility, specifically with respect to Americans With Disabilities Act.

If you want to maintain wide enough passage so a wheelchair can pass, it can no

longer go between the tree well -- there's no space between the tree well and the building. You would have to go from the tree well to the curb. That space there is four and a half feet which is higher than the three feet minimum.

So if you take that into consideration as well and the path is required to have at least the minimum three foot path along that tree well, so that you meet the ADA requirements, there's really not a ton of space left for a patio.

So, those, I think, are some other considerations that I would like to bring up. I mean, my opposition is the noise and the smoke that comes from people being there, but those are also relevant factors to consider.

So I think that's all I have to say.

CHAIR NICOLE MURATI FERRER: Thank you. For the record, Chief Reardon has joined us and actually we had a question and you're just in

time.

KEVIN TREANOR: You might want to save --

CHAIR NICOLE MURATI FERRER: Just one second because we want to ask something for the Chief here and I think you say it better than I do.

POLICE COMMISSIONER CHRISTOPHER BURKE:

The concern was if you see that layout was with the fire hydrant. I think it has been indicated that the appropriate -- the Fire Department says it's okay with two feet, two and a half feet, to have an obstruction within two and a half feet from the hydrant would be okay.

FIRE CHIEF GERALD REARDON: No. The front of that hydrant has to be clear all the way to the curb.

KEVIN TREANOR: It's clear.

CHAIR NICOLE MURATI FERRER: They mean like this. They're proposing to add the patio

here so is this space sufficient?

KEVIN TREANOR: Madam Chairman --

CHAIR NICOLE MURATI FERRER: Hold on.

Mr. Treanor, hold on.

KEVIN TREANOR: This might save the whole -- I would like to withdraw the application due to my neighbors and save your time. I know you have a lot here going on. Out of respect to our neighborhood, I would like to move on.

CHAIR NICOLE MURATI FERRER: Okay.

The -- so the application is withdrawn.

KEVIN TREANOR: Thank you.

**APPLICATION:
TRANSFER OF COMMON VICTUALER
(CENTRAL DINER)**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Transfer of the common victualler wine and malt license held by Central Diner, Inc doing business as 4 Burgers, at 704 Massachusetts Avenue to Hot Pot Boston One, LLC doing business

as Happy Lamb Hot Pot, at 485 Massachusetts Avenue, Michael Luk, proposed manager of record. The premise is described as: Five-story building, the first floor being licensed, the main dining room and kitchen are both on the first floor with one entrance and two exits (2975 square feet); basement for storage (340 square feet), total square feet equals 3315. Applications to amend the premise description and change of location from 704 Massachusetts Avenue to 485 Massachusetts Avenue have also been filed.

CHAIR NICOLE MURATI FERRER: Anyone, 4 Burgers?

Not you, okay. So second call.

EXECUTIVE DIRECTOR ELIZABETH LINT: I bet they went to 831.

CHAIR NICOLE MURATI FERRER: Second call.

**APPLICATION:
INTERSTATE MANAGEMENT COMPANY, LLC
D/B/A CHARLES HOTEL**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Interstate Management Company, LLC doing business as Charles Hotel, holder of an innholder's all alcohol license at One Bennett Street/40 University Road has applied for an alteration of premise to 10-story hotel with between 28 and 51 guest rooms on each floors 3-10 (300 total); with one restaurant on the second floor consisting of a bar, dining room, private dining room and outdoor patio, currently operated as Henrietta's Table, one delicatessen/cafe, one bar and one lounge, two ballrooms, pre-function area, conference center, meeting rooms and public space on Floors 1 through 3 and 86 contiguous condominium units at 1 Bennett Street, 40 University Road, and 975 Memorial Drive (Charles Square). The premise description is changed on a seasonal basis to allow seasonal outdoor seating.

CHAIR NICOLE MURATI FERRER: Good

evening. Could you please state your names for the record?

ATTY JAMES RAFFERTY: Good evening, Madam Chair and Commissioners. James Rafferty, J-A-M-E-S, R-A-F-F-E-R-T-Y, on behalf of the applicant. Seated to my left is Alex Attia, A-T-T-I-A. Mr. Attia is the general manager of the licensed premises the Charles Hotel.

CHAIR NICOLE MURATI FERRER: Thank you. Good evening. If I got this right, the change is that we're decreasing it from two restaurants to one, and then you're taking out everything in terms of the seasonal basis and skating rink and all that or no?

ATTY JAMES RAFFERTY: Largely correct, but the second part in terms of the seasonal change, it's only related to the seasonal activity around the skating rink, the remaining courtyards and patios around the property are

unchanged.

 About a few years ago now, I guess it has been about six or seven years, they began the practice of installing a skating rink -- ten years -- they began the practice of installing a skating rink in the courtyard area where the Legal Sea Foods also has exterior. That was on the premises description of the license, so that's being removed.

 But because it hasn't -- this year it didn't operate.

 (To Mr. Attia:) Did it operate?

ALEX ATTIA: No, we didn't.

ATTY JAMES RAFFERTY: It has no longer operated. But the principal thrust of the application, though, you're correct is the hotel. Since its opening in 1985, it has two restaurants on the ground floor. One restaurant is a full-service restaurant, breakfast, lunch and

dinner called Henrietta's Table. And for 22 years the other restaurant, the more fine dining establishment, has been operated as Rialto Restaurant and --

CHAIR NICOLE MURATI FERRER: That's the one --

ATTY JAMES RAFFERTY: That's the restaurant that's contained within the premises description as operated under the hotel's license under the supervision of Jody Adams and after 22 years, this is the final week of operation. And the reasons -- this premises, this portion of the building associated with the Rialto, the application is to remove it from the hotel's license description, then to allow for a subsequent application and we hope within the next month to file such an application for a restaurant operator would operate -- would operate that location independent of the hotel, a

model popular in many hotel settings here in Cambridge.

I can think of the Dante Restaurant at the Sonesta Hotel, and the Japanese Steakhouse at the Marriott Courtyard Hotel, and certainly many models like this exist in the City of Boston.

CHAIR NICOLE MURATI FERRER: So this is what Rialto looks like?

ATTY JAMES RAFFERTY: Everything.

CHAIR NICOLE MURATI FERRER: That's why you only submitted this one?

ATTY JAMES RAFFERTY: That's what is coming out. Everything on that premises -- that's to be removed and it will.

CHAIR NICOLE MURATI FERRER: Basically that second part of the description with the skating rink and whatever and all that jazz, you're just cleaning up and rather than explaining the shift, you're just putting that

you're changing it on a seasonal basis to allow outdoor seating?

ATTY JAMES RAFFERTY: I'm not sure how it worked its way into the description, but it was -- because I can't imagine --

ALEX ATTIA: An activity that was introduced ten years ago, and actually we -- the rink was stolen. That's the reality last summer -- last October from the warehouse, and we decided we're not going to replace it and not buy another one. So the activity that now exists in the summer with Legal Sea Foods will continue, and then the farmers market we're hoping to have a winter farmers market in that space, if we can get some farmers to agree to do that.

CHAIR NICOLE MURATI FERRER: Okay.

FIRE CHIEF GERALD REARDON: To be clear somehow the description of the rink wound up on the license description, so --

ATTY JAMES RAFFERTY: Right.

FIRE CHIEF GERALD REARDON: -- we're removing it for clarification?

ATTY JAMES RAFFERTY: It would be like a swimming pool gets listed in a hotel premises description. It was a function that hadn't existed in the original licence and it must have been someone back then -- for purposes of thorough completeness, included the skating rink. So the skating rink, I didn't realize it had been stolen. I hope you work us in on that case. There are people with backyard skating rinks and so now I'm starting to put two and two together. I'll refer those tips to the Police Commissioner, but the principal issues involves this restaurant space.

CHAIR NICOLE MURATI FERRER: All right, any other questions?

FIRE CHIEF GERALD REARDON: Is that

closed right now?

ALEX ATTIA: It was closed Friday.

CHAIR NICOLE MURATI FERRER: Are you planning to go before it closes?

FIRE CHIEF GERALD REARDON: No, I was just --

ATTY JAMES RAFFERTY: It would be, for gift certificates, this would be the week to use them.

CHAIR NICOLE MURATI FERRER: Or buy them.

ATTY JAMES RAFFERTY: I would not buy any this week.

CHAIR NICOLE MURATI FERRER: It's the thought that counts.

Any other questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:
None.

CHAIR NICOLE MURATI FERRER: None.

FIRE CHIEF GERALD REARDON: All set.

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

(No response.)

Anyone in opposition to this petition?

(No response.)

I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Approved.

CHAIR NICOLE MURATI FERRER: Granted.

**APPLICATION:
SULMONA RESTAURANT GROUP, LLC
D/B/A SULMONA RESTAURANT**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Sulmona Restaurant Group, LLC doing business as Sulmona Restaurant, has applied for a new common victualler all alcoholic beverages license to be exercised at 610 Main Street North with proposed hours of 11:00 a.m. to 1:00 a.m. seven days per week with a seating capacity of 124 inside and 20 seasonal patio seats, Delio B. Susi

Jr., as proposed manager of record a premise described as: Seven-story building, part of the first floor to be licensed, one large dining room with bar, kitchen, men's and women's restrooms, one entrance and two exits with total area of 3,355 square feet and also includes an outdoor patio with 20 seats on private property. An application has also been made for an entertainment license to include: Two TV screens, one film projector, and background music below conversation level.

CHAIR NICOLE MURATI FERRER: Good evening. Could you please state your names for the record?

ATTY KEVIN CRANE: Good evening, Madam Chair. My name is Kevin Crane, K-E-V-I-N, C-R-A-N-E. I'm an attorney at 104 Mt. Auburn Street in Cambridge. And I represent the petitioners in this particular matter. I'll let

the four interested parties introduce themselves and spell theirs names as well.

DELIO SUSI: I'm Delio Susi, D-E-L-I-O, S-U-S-I.

CARMELO BARI: I'm Carmelo Bari, C-A-R-M-E-L-O. Last name Bari, B-A-R-I.

ERIC QUADRINO: Eric Quadrino, E-R-I-C Q-U-A-D-R-I-N-O.

THE REPORTER: Eric, speak up. E-R-I-C?

ERIC QUADRINO: E-R-I-C. Last name Quadrino, Q-U-A-D-R-I-N-O.

LAURENCE HOPKINS: Laurence, L-A-U-R-E-N-C-E, H-O-P-K-I-N-S.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY KEVIN CRANE: Madam Chair, first of all, I have the affidavit of abutters as well as the green cards.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY KEVIN CRANE: First of all, the

background of the four individuals that are involved, Mr. Susi is going to be a 65 percent member of this LLC, Mr. Hopkins and Mr. Quadrino will be ten percent each and Carmelo will own 15 percent.

You might be familiar with some of their experience in the City of Cambridge. Mr. Susi already operates a full all alcoholic license restaurant known as Amelia's Trattoria on Harvard Street. Mr. Hopkins operates the Dentalist Restaurant in Harvard Square as well The Boathouse in Harvard Square, both of them being licensed establishments. And Mr. Quadrino operates Mexican Burrito and Mexicali Burrito Cabana both in the neighborhood. There are no liquor licenses associated with those establishments, but he has been there for a while.

As far as the area is concerned, this is

between -- on 610 Main Street, this is between Kendall Square and Central Square, although some might say Lafayette Square. And it's an area that's undergoing, as you know, unbelievable transformation. There are buildings going up every day, labs, high-tech buildings. This particular site is going to be occupied by Pfizer, I believe, entirely. The building is in the process of being constructed, and my clients are just at the point they're getting the keys in order to do their build-out.

The only residential section right here is the Newtowne Court Housing Development across the street and my clients both, the ones that have businesses in the area, do employ a number of residents of Newtowne Court. The theme seems to be have a mixed use in this particular area and trying to connect the two squares. There's certainly the office and the lab work going on.

The residential seems to be coming along. I was just reading this week that Mass and Main Street might have more units than had been anticipated. But we also need our restaurants in this particular neighborhood. I did submit last week to Ms. Lint pictures of our proposal and also in the back of that, there's a floor plan. The floor plan in the back of that is a little bit different than the one I submitted initially. It's different just in the sense that the number of seats inside, there's two additional seats so we go from 124 to 126 inside and then outside on the patio area, which is totally on private property, we go from 20 seats to 26 seats. There are three additional tables proposed on the Portland Street side of the building.

What happened was, as the building plans developed, they were able to move the exit on Portland Street back further, so they gained

additional space for those three particular tables.

I have submitted a menu. It's going to be a full service Italian sit-down restaurant. And in this neck of the woods, probably there hasn't been an Italian restaurants since Simone's closed and I note that --

FIRE CHIEF GERALD REARDON: You're dating yourself, counsel.

ATTY KEVIN CRANE: I thought you would get that one.

But there's notation actually in some of support letters, as far as the lack of a good Italian restaurant in the neighborhood and it's not going to be a bar. There's only 18 seats at the bar. There's only two TVs in our establishment which is indicative of a restaurant, not someone sitting down and having a couple beers watching a ballgame. I believe in

the file there are letters of support from Council Representative Toomey, the Kendall Square Business Association, and I also have a letter of support from Tom Evans of the Cambridge Redevelopment Authority and I would like to submit that.

CHAIR NICOLE MURATI FERRER: We got that as well. We got one from Councillor Toomey, Kendall Square Association and we got one from Central Square Association and got one later in the day from Cambridge Redevelopment.

ATTY KEVIN CRANE: I have a number of petitions which probably have over 100 signatures of support for this type of restaurant.

CHAIR NICOLE MURATI FERRER: What is the bike going to be used for?

ATTY KEVIN CRANE: I'll let --

CHAIR NICOLE MURATI FERRER: Will there be gasoline in it?

POLICE COMMISSIONER CHRISTOPHER BURKE: I asked that point. We didn't know if the fire chief would be showing up.

DELIO SUSI: Nonfunctioning.

CHAIR NICOLE MURATI FERRER: It will not come down with music or anything like that?

DELIO SUSI: No.

ATTY KEVIN CRANE: In closing, the emphasis of everyone seems to be for the public official side is they want retail of independently owned establishments in this particular neighborhood. I don't think you can get a more independently owned group of individuals than the ones before you.

If you have any questions, we'll be glad to try to answer them.

FIRE CHIEF GERALD REARDON: Counsel, this is in the new building of that complex, you got 610 Main, 610 Main Rear, and 610 Main North,

correct?

ATTY KEVIN CRANE: Yes, Chief.

FIRE CHIEF GERALD REARDON: This will be a complete fit-out or have they started for you already?

ATTY KEVIN CRANE: No.

DELIO SUSI: Complete fit-out, yep.

FIRE CHIEF GERALD REARDON: That was designed as a restaurant space?

DELIO SUSI: It was, yes.

FIRE CHIEF GERALD REARDON: So your hood systems and everything are already incorporated into the building?

DELIO SUSI: Yes. We will be using our pollution control unit.

FIRE CHIEF GERALD REARDON: Okay. Is that going to be a side --

DELIO SUSI: Side ventilation, yes.

ERIC QUADRINO: Everything is going to be

stubbed too.

CHAIR NICOLE MURATI FERRER: Do you know where you will have the TV screens and the film projector yet, because you submitted it with the floor plan, but it's not there. Do you know yet or no?

DELIO SUSI: I can show you on the renderings.

CHAIR NICOLE MURATI FERRER: Sure. Mark it and initial it and we can have a complete...

DELIO SUSI: TV here. TV here. And I think the projector will be here this way.

CHAIR NICOLE MURATI FERRER: Awesome. Thank you. Initial and date it somewhere.

And, Mr. Susi, I note for the record that you're currently the manager of record on the liquor license and had no disciplinary issues with the local board or the ABCC, is that correct?

DELIO SUSI: Yes.

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

DELIO SUSI: Yes.

CHAIR NICOLE MURATI FERRER: And do you understand that we expect you to stay up to date with those rules, laws and regulations?

DELIO SUSI: Yes.

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

DELIO SUSI: Yes.

CHAIR NICOLE MURATI FERRER: What are the hours for the food going to be?

DELIO SUSI: Lunch to dinner, so I believe that was 11:00 to 11:00.

ATTY KEVIN CRANE: I think we have 11:00

to 1:00.

CHAIR NICOLE MURATI FERRER: You did, on the CV.

ATTY KEVIN CRANE: Yeah, 11:00 to 1:00.

CHAIR NICOLE MURATI FERRER: If you're going to change it, I want to know now.

DELIO SUSI: Well, we --

ATTY KEVIN CRANE: You want to say the food, the common victualer you can say 11:00 and for the alcohol 1:00, but you can't serve food between 11:00 and 1:00, Delio.

DELIO SUSI: Okay. So we were thinking Monday through Wednesday 11:00 to 11:00 for food and 1:00 for -- for alcohol and maybe Thursday, Friday and Saturday to extend the food maybe to 12:00.

CHAIR NICOLE MURATI FERRER: Then alcohol seven days a week until 1:00?

DELIO SUSI: Yes.

CHAIR NICOLE MURATI FERRER: To reiterate, counsel, the public need with all this is in regard to the new construction and all that coming in and lack of restaurants with this kind of cuisine?

ATTY KEVIN CRANE: Absolutely.

CHAIR NICOLE MURATI FERRER: And the support that you've provided?

ATTY KEVIN CRANE: Yes, if the establishment was ongoing, right here, I suspect we'd have a petition of 900 signatures for it.

CHAIR NICOLE MURATI FERRER: I do note you submitted some documentation with regard to the funding?

ATTY KEVIN CRANE: Yes.

CHAIR NICOLE MURATI FERRER: I'm not sure if it's sufficient.

ATTY KEVIN CRANE: Yes.

CHAIR NICOLE MURATI FERRER: But, again,

that's an ABCC issue. But I flag it for you because it can delay a little bit, the situation.

ATTY KEVIN CRANE: I appreciate that, Madam Chair.

CHAIR NICOLE MURATI FERRER: Mr. Susi, your application for manager is handwritten which is fine by us, but the ABCC wants everything typed because they're scanning and putting everything paperless. Just as an FYI, you may get a call, Mr. Crane, to get that typed up.

Any questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:
No questions.

FIRE CHIEF GERALD REARDON: No.

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

If you could please state and spell your name and give us your address, please?

DAVID DOWNING: David Downing,

D-O-W-N-I-N-G. And actually I work at One Broadway, out of one Broadway so I'm not a resident here. I have been working in commercial real estate for the last ten years in Kendall and I want to speak to the quality of these operators and the character of these guys. I have known them almost a decade, and I think they've put a lot of resources into Kendall Square to make it what it is today. They bet on the neighborhood when it wasn't quite there yet, and it's really exciting to see them kinda do something aspirational and exciting that's kinda their next venture. So, from someone that has been in the business and seeing what these guys have done and continue to do, we're really excited. My team, Akroveto (phonetic), to see them kinda excel and move to the next step here.

CHAIR NICOLE MURATI FERRER: Excellent.

Thank you.

Anyone else in support?

(No response.)

Anyone in opposition?

(No response.)

Ready to vote?

POLICE COMMISSIONER CHRISTOPHER BURKE:

Sure.

FIRE CHIEF GERALD REARDON: Yeah.

CHAIR NICOLE MURATI FERRER: I would vote to grant the applications with the food until 11:00 p.m. Monday through Wednesday and then all the other days until midnight and alcohol to 1:00 a.m.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Approved.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY KEVIN CRANE: Thank you very much.

**APPLICATION:
JUICY PEACH, LLC D/B/A VIALE**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Juicy Peach, LLC doing business as Viale, holder of a common victualler all alcohol license at 502 Massachusetts Avenue has applied for an alteration of premise to: One kitchen, one dining room, bar with 14 Stools, office and storage room, front door on Massachusetts Avenue, side exit from dining room, rear exit from kitchen, approximately 200 square foot seasonal patio on the city sidewalk with 22 seats. Applicant is also applying for a change of opening hour from 5:00 p.m. to 10:00 a.m.

CHAIR NICOLE MURATI FERRER: Good evening.

MARK YOUNG: Good evening.

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

MARK YOUNG: My name is Mark Young, M-A-R-K, Y-O-U-N-G.

CHAIR NICOLE MURATI FERRER: Can you tell us what the public need for the alteration?

MARK YOUNG: The public need for the operation is that most of the restaurants on our current street have paths available to them already, and we feel like it could just add to this scene that we have on there, and also help us compete and be on the same level with the other businesses that abut us and are on our street.

CHAIR NICOLE MURATI FERRER: So competition can't really be one of the considerations in terms of public need for us.

So why don't you tell me about what you have been asked for in terms of --

MARK YOUNG: Well, I think it's something that's kinda speeding up competition, but not in a competition way about our neighbors. I think we're compared to most of the places around,

we're much more of a restaurant than everyone else. We're kind've of a -- we abut Phoenix Landing and the Middle East and these places are music venues and kind've they don't do a lot of dining, to be honest with you, in a lot of these places. And I think that we are much more of a restaurant than a bar than anyone in our local area. So I think something that offers a little bit more of a quieter, kind've nicer dining experience without a ruckus kinda bar crowd around you, if you will, will be beneficial to the public, in our opinion.

CHAIR NICOLE MURATI FERRER: The change of hours because I know you're applying -- what is the need for the change of hours?

MARK YOUNG: The change the hours is mostly for now is to add brunch on Saturdays and we would like to -- instead of having to come to the council again, just add seven days a week

because we know just down the street from us there's lot of expanding new artists just came through and really new property and there's a lot of other biotech and stuff like that in the area.

And I think when there wasn't -- when we first opened, there wasn't really a demand for lunch business in the area. We think that's growing, and we would like to be able to grow with it if possible.

CHAIR NICOLE MURATI FERRER: How long have you been at that location?

MARK YOUNG: We've been there a year, a little over a year and a half now.

CHAIR NICOLE MURATI FERRER: Any questions?

Fire CHIEF GERALD REARDON: Where are you at for your seating with public records, has that been approved?

MARK YOUNG: The only issue we have at the moment with The Department of Public Works, which I actually spoke to Mr. Bill Dwyer this afternoon is, we actually have bicycle parking in the front of the restaurant that we have to get moved and that's our -- otherwise, they said they have no problem with it, with the plans as far as spacing-wise and sidewalk for the public and whatnot. I spoke with Bill today actually and he said that they're still debating what we can do with the bike patio. If the city moves it, or we move it and where it can to move because we don't want to eliminate the bike parking. We understand that, especially in this day and age, bicyclists are, you know, a big deal, and it's a good mode of transportation, and they need space to go to put it. So that is kind've our last hurdle with the DPW is getting their approval to move it ourselves or have them move it and what

we can do to move it.

CHAIR NICOLE MURATI FERRER: Are you proposing that the hours of the patio, the closing hour also be 1:00 a.m.?

MARK YOUNG: I would say midnight at the latest. Again, we do a fairly minimal business between the hours of 11:30, 12:00 and 1:00. We're not looking to expand that outside and we would like to kinda go through dinner service, let people finish drinks and bring it in for the evening.

FIRE CHIEF GERALD REARDON: So Mr. Dwyer is good with the number of seats?

MARK YOUNG: Yeah, they approved everything as far as the spacing goes, and we don't have to -- there's one tree in the middle, but that we'll just be right around that. There was trash can off to the side, but we're covered on that space, so the only issue left with the

DPW is just figuring out the moving of the bicycle parking.

FIRE CHIEF GERALD REARDON: Is that one of the bike rental racks?

MARK YOUNG: No, it's individuals. I think there's eight total.

FIRE CHIEF GERALD REARDON: I know which ones you're talking about.

MARK YOUNG: I know Clover just opened next to us about a year and they actually moved a couple in front of Oscar's. At the time we didn't a patio, so we didn't have an issue with that at the time. And, again, we're trying to keep it -- we're hoping to move it in front of the bank, in front of Santander, which is directly almost across the street, and the fact that they will not really need outside seating anytime soon. I would hope may that I would see that as bonus to come do businesses with them or

use the ATMs or whatever it would be.

CHAIR NICOLE MURATI FERRER: Questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:

None.

CHAIR NICOLE MURATI FERRER: Questions?

FIRE CHIEF GERALD REARDON: No.

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

(No response.)

Anyone in opposition to this petition?

(No response.)

Are we ready to vote?

FIRE CHIEF GERALD REARDON: Uh-huh.

CHAIR NICOLE MURATI FERRER: Ready to vote?

POLICE COMMISSIONER CHRISTOPHER BURKE:

Uh-huh.

CHAIR NICOLE MURATI FERRER: So vote to grant with a closing on midnight on the patio.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Agree.

FIRE CHIEF GERALD REARDON: Agree.

CHAIR NICOLE MURATI FERRER: Okay.

Granted as to both petitions, but the patio closing at midnight.

FIRE CHIEF GERALD REARDON: Pending Public Works final.

MARK YOUNG: Thank you very much.

APPLICATION:

**UC MASSACHUSETTS AVENUE, LLC
D/B/A UPPER CRUST PIZZERIA**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application UC Massachusetts Avenue, LLC doing business as Upper Crust Pizzeria, holder of a common victualler License at 1782 Massachusetts Avenue with approved hours of 11:00 a.m. to 10:00 p.m. seven days per week and seating for 18 has applied for a new common victualler wine and malt beverages License to be exercised at 1782

Massachusetts Avenue, Robert Hennessee, as proposed manager of record. Premise described as: One floor with two rooms including bathroom, 400 square feet dining area and 800 square feet kitchen, prep and storage, one entrance with two exits.

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

Thank you.

ROBERT HENNESSEE: Robert, R-O-B-E-R-T, H-E-N-N-E-S-S-E-E.

CHAIR NICOLE MURATI FERRER: Thank you. Mr. Hennessee, tell us what the public need is for the addition of the wine & malt license.

ROBERT HENNESSEE: We have been opening since around Thanksgiving time and a lot of customers are asking for beer and wine, like our other locations around the city, and we just have

numerous requests and it makes it better, customers that come in have a glass of wine or bottle of beer with a slice of pizza or whole pizza.

CHAIR NICOLE MURATI FERRER: I didn't see the articles of organization in your application. So if you can submit that, that would be great.

ROBERT HENNESSEE: I will double-check. I thought I had.

CHAIR NICOLE MURATI FERRER: Then if you can -- I'm assuming the answer is "no" on both of these, but we need you to answer them anyways. So if you can come up here.

You would be the manager of record, is that correct, the proposed manager?

ROBERT HENNESSEE: Yes.

CHAIR NICOLE MURATI FERRER: I note for the record that you have been approved and have had no disciplinary issues with the local board

or the ABCC, is that correct?

ROBERT HENNESSEE: That's correct.

CHAIR NICOLE MURATI FERRER: And are you up to date with the rules and regulations of this board and the ABCC and the laws of the Commonwealth of Massachusetts with regards to the sale and service of alcohol?

ROBERT HENNESSEE: Yes, I am.

CHAIR NICOLE MURATI FERRER: Do you understand that you're expected to stay up to date with those rules, law and regulations?

ROBERT HENNESSEE: Yes.

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

ROBERT HENNESSEE: Yes.

FIRE CHIEF GERALD REARDON: So you do not have outside patio seating at that location?

ROBERT HENNESSEE: We don't. I would like to.

FIRE CHIEF GERALD REARDON: 18 seats
inside and you have no bar area?

ROBERT HENNESSEE: No bar area. There's
a bar seat at the window looking out, but not a
beer tap.

CHAIR NICOLE MURATI FERRER: I saw there
was an operating agreement in the file. I'm a
little confused as to why the operating agreement
-- do you know why it was included?

ROBERT HENNESSEE: I'm not sure what it
is.

That was probably an accident.

CHAIR NICOLE MURATI FERRER: Unless they
submitted it as articles.

ROBERT HENNESSEE: Maybe I'm not so clear
what you need for that that we're missing.

CHAIR NICOLE MURATI FERRER: We'll go
through it again just to make sure, but I didn't
think this was necessary, but we'll figure it

out.

Any questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:

None.

CHAIR NICOLE MURATI FERRER: Questions?

FIRE CHIEF GERALD REARDON: No.

CHAIR NICOLE MURATI FERRER: Do you have the affidavit -- here it is. Do you have the green cards yet?

ROBERT HENNESSEE: I handed them in. I only had five back. We sent out about 20.

CHAIR NICOLE MURATI FERRER: There they are, and you got some returned.

ROBERT HENNESSEE: And all the receipts too.

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

(No response.)

Anyone in opposition to this petition?

(No response.)

Ready to vote?

POLICE COMMISSIONER CHRISTOPHER BURKE:

Yes.

FIRE CHIEF GERALD REARDON: Uh-huh.

CHAIR NICOLE MURATI FERRER: I vote to
grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Agreed.

FIRE CHIEF GERALD REARDON: Agreed.

CHAIR NICOLE MURATI FERRER: Granted.

ROBERT HENNESSEE: Thank you.

**APPLICATION:
HATHAWAY PARTNERS, LLC**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Hathaway Partners, LLC has applied
for a garage license at 15 Richdale Avenue for 20
vehicles and 200 gallons of gasoline in the tanks
of autos only. Applicant has also filed an

application for an open air parking lot license at said address for 26 parking spaces.

CHAIR NICOLE MURATI FERRER: Hathaway?

Second call.

**APPLICATION:
MAINELY BURGERS MA, LLC
D/B/A MAINELY BURGERS**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Mainely Burgers MA, LLC doing business as Mainely Burgers, has applied for a common victualler license at 704 Massachusetts Avenue with a seating capacity of 40 inside and eight seasonal patio seats on public property with proposed hours of 11:00 a.m. to 11:00 p.m. seven days per week, Jack Barber as proposed manager of record. Premise is described as 1,200 square feet on ground floor with counter service, seating in front of counter and kitchen behind counter.

CHAIR NICOLE MURATI FERRER: Good

evening. Please state and spell your names for the record.

JACK BARBER: Sure. Jack, J-A-C-K, Barber, B-A-R-B-E-R, I'm the manager and co-owner of Mainely Burgers.

DAVID BARBER: David Barber, same spelling. I'm his dad.

CHAIR NICOLE MURATI FERRER: Good evening. Did I read an article about this?

JACK BARBER: We have been trying to keep it under wraps and someone grabbed ahold of it.

CHAIR NICOLE MURATI FERRER: I thought when I was reviewing the application I was like I know I heard about this. Why don't you tell us about your concept?

JACK BARBER: Sure. I started a food truck company about five years ago called Mainely Burgers in Portland, Maine, and I went to school in the area at Babson College and spent a lot of

time in the Cambridge area and the Greater Boston area. And upon graduating, I really wanted to expand my business, but I felt that Portland wasn't the right place and I wanted to be in Boston. And talking with the owner right now of the space, Michael Bissanti, it kind've just seemed to -- it felt right, just because you know, he was running 4 Burgers and we're bringing in a very similar concept, fast casual, just our menus are a little different, and we're just doing a few cosmetic things with changing of the tables and things like that.

CHAIR NICOLE MURATI FERRER: You're proposing 11:00 a.m. to 11:00 p.m. seven days a week?

JACK BARBER: Yeah. Yeah.

DAVID BARBER: Those are his current hours.

JACK BARBER: No. We would like -- I

think I just put it on the application, 11:00 to 11:00, but I think Michael's are 11:00 to 10:00 p.m. Sunday through Wednesday, and through Saturday, it's 11:00 to 11:00, if we could keep that the same.

CHAIR NICOLE MURATI FERRER: Since you have better burgers, you're gonna have the 11:00 to 11:00?

JACK BARBER: Yeah. I don't want to mess this up if we say we want --

CHAIR NICOLE MURATI FERRER: You're fine. I was just confirming.

JACK BARBER: Okay.

CHAIR NICOLE MURATI FERRER: And then I saw that you're going to have eight patio seats outside. I didn't see the floor plan for the out seating.

JACK BARBER: So that was not so -- that wasn't attached.

CHAIR NICOLE MURATI FERRER: If you can send that to us.

JACK BARBER: I can send that. It was from what Michael just had.

CHAIR NICOLE MURATI FERRER: It's in the same space, it's not moving?

JACK BARBER: Yeah.

FIRE CHIEF GERALD REARDON: How much work do you need to do to occupy?

JACK BARBER: Not a whole lot. We would like to do a little bit of tables. Probably will have to end up having to pull a permit for some of the work just because we'd like to redo the wall.

FIRE CHIEF GERALD REARDON: Okay. But pretty much cosmetic?

JACK BARBER: Cosmetic, yup.

FIRE CHIEF GERALD REARDON: Kitchen staying?

JACK BARBER: Yup.

CHAIR NICOLE MURATI FERRER: Anything
else?

FIRE CHIEF GERALD REARDON: You will have
to get a new CO for that, all your inspections
again.

JACK BARBER: Yep.

CHAIR NICOLE MURATI FERRER: Anything
else?

POLICE COMMISSIONER CHRISTOPHER BURKE:
All set.

CHAIR NICOLE MURATI FERRER: Anything
else?

FIRE CHIEF GERALD REARDON: All set.

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

(No response.)

Anyone in opposition of this petition?

(No response.)

Ready to vote?

I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE: I would agree.

CHAIR NICOLE MURATI FERRER: Granted.

JACK BARBER: Thank you.

CHAIR NICOLE MURATI FERRER: And just make sure that you bring us -- you can ask him for what he has outside, and if he already has a plan, we can have a copy of that --

JACK BARBER: Great.

CHAIR NICOLE MURATI FERRER: -- before we can actually issue a license with the outside seating.

JACK BARBER: Thank you.

**APPLICATION:
HONEYCOMB COMPANIES, LLC
D/B/A HONEYCOMB CREAMERY**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Honeycomb Companies, LLC, doing

business as Honeycomb Creamery, has applied for a common victualler license at 1702 Massachusetts Avenue with a seating capacity of eight and proposed hours of 12:00 p.m. to 10:00 p.m. Tuesday through Sunday, Kristen Rummel as proposed manager of record. Premise is described as 1,000 square feet on ice cream shop with four tables and eight seats.

CHAIR NICOLE MURATI FERRER: Good evening.

KRISTEN RUMMEL: My name is Kristen Rummel, K-R-I-S-T-E-N, R-U-M-M-E-L.

CHAIR NICOLE MURATI FERRER: Thank you. Can you tell us about Honeycomb?

KRISTEN RUMMEL: We just started up last year, last June. We make ice cream from scratch, we pasteurize our own base and turn in-house making all of our own toppings and waffle cones.

FIRE CHIEF GERALD REARDON: Using the dry

ice method?

KRISTEN RUMMEL: We have -- it's a very heavy duty ice cream batch freezer. It does a gallon in three minutes. And then we do have a pasteurizing system, it's small table top with four gallons at the time.

CHAIR NICOLE MURATI FERRER: Is this kinda like Abbott's, what they used on -- what is that street? They used this machine and you would put the stuff and it comes like it's custard?

KRISTEN RUMMEL: You pour the base through the spout on the top, and you turn it on and it has a condensing unit inside, freezes it and it comes out of the spout.

CHAIR NICOLE MURATI FERRER: Okay.

FIRE CHIEF GERALD REARDON: But it's hard ice cream as opposed to soft?

KRISTEN RUMMEL: It's hard ice cream as

opposed to soft serve. We will also be doing
vegan ice creams and sorbetes.

CHAIR NICOLE MURATI FERRER: Oh, wow.

KRISTEN RUMMEL: No frozen yogurt.
There's a Pinkberry down the street. I didn't
want to...

FIRE CHIEF GERALD REARDON: So is this a
new space?

KRISTEN RUMMEL: This is not a new space.

FIRE CHIEF GERALD REARDON: Who was in
there before?

KRISTEN RUMMEL: Evelyn & Angels, they
were a chocolate coffee shop and they did sell
ice cream there as well. They didn't churn, they
just sold ice cream.

FIRE CHIEF GERALD REARDON: You're not
going to do a lot of work in there, cosmetic?

KRISTEN RUMMEL: Exactly. Painting the
walls, flooring, doing a little bit of plumbing

to install a dipping well. And then some electrical work to match the equipment that we're bringing in.

CHAIR NICOLE MURATI FERRER: Anything else?

FIRE CHIEF GERALD REARDON: All set.

CHAIR NICOLE MURATI FERRER: All set.

POLICE COMMISSIONER CHRISTOPHER BURKE:
All set.

CHAIR NICOLE MURATI FERRER: I would actually like to take this under advisement. I'll tell you why. It has nothing do with your application, and I meant to do this before the hearing, but I had several other hearings today and I didn't have a chance, but actually I don't think you need a common victualer license.

KRISTEN RUMMEL: I was told I did.

CHAIR NICOLE MURATI FERRER: I need to double check with the law because there have been

some changes to it. And I wanted to hear your concept as well because some ice cream places do certain things that put them in the category of a common victualer license, but I'm not quite sure what you explained does.

KRISTEN RUMMEL: Okay.

CHAIR NICOLE MURATI FERRER: For my benefit, I want to look at it before I vote on it. I will go on the record saying I have no issue and I would vote to grant this license. I want to double-check whether you actually need it.

KRISTEN RUMMEL: Okay.

CHAIR NICOLE MURATI FERRER: But that's me.

FIRE CHIEF GERALD REARDON: I agree.

CHAIR NICOLE MURATI FERRER: Okay. We'll give you a call tomorrow.

KRISTEN RUMMEL: Perfect. Thank you so

much.

**APPLICATION:
NOOKIE, LLC D/B/A
COMMONWEALTH RESTAURANT**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Nookie, LLC doing business as Commonwealth Restaurant, holder of a common victualler all alcohol license at 11:00 Broad Canal Way has applied for an alteration of premise to: 6500 square feet located on the first floor. Approximately 2833 square feet seasonal patio on private property with a la carte dinner area and beer garden area with outdoor bar and seating with eight bar stools. Total outside seating is 124.

CHAIR NICOLE MURATI FERRER: Good evening.

Please state and spell your name for the record.

STEVE POSTAL: Steve Postal, S-T-E-V-E,
P-O-S-T-A-L. I'm the Nookie behind Nookie, LLC.

CHAIR NICOLE MURATI FERRER: And can you

please tell us what the need for the expansion of the patio is?

STEVE POSTAL: We're located on the end of Broad Canal where the kayaks are, and we're really trying to activate that space there, so many people there during the day for -- with all the biotech and the weekends with all the kayaks and we want to activate the area and we're looking to expand the patio.

CHAIR NICOLE MURATI FERRER: Would the hours remain the same?

STEVE POSTAL: Yes.

CHAIR NICOLE MURATI FERRER: This would be in the same area, you're just making it bigger?

STEVE POSTAL: Yes.

FIRE CHIEF GERALD REARDON: So how many outside seats do you have now?

STEVE POSTAL: 30.

FIRE CHIEF GERALD REARDON: You're going to 124?

STEVE POSTAL: Yes, just outside.

FIRE CHIEF GERALD REARDON: You're going to pretty much use that whole --

STEVE POSTAL: Yes, there's the big vent in the middle of it. Beautiful -- I love our vent and then on one side and we'll take the other side.

CHAIR NICOLE MURATI FERRER: No one wants to sit next to the exhaust.

STEVE POSTAL: It actually adds some nice shade.

CHAIR NICOLE MURATI FERRER: Silver lining.

STEVE POSTAL: Try to make a positive out of it.

CHAIR NICOLE MURATI FERRER: And the beer garden with the outdoor bar is the outdoor bar

going to be stationary where I see it on the floor plan that's where it will stay?

STEVE POSTAL: Yeah, it will not move.

CHAIR NICOLE MURATI FERRER: I note for the record we received a letter in support from the East Cambridge Business Association and one from Councillor Toomey.

Any questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:

None.

CHAIR NICOLE MURATI FERRER: Questions?

FIRE CHIEF GERALD REARDON: None.

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

(No response.)

Anyone in opposition of this petition?

(No response.)

I would vote to grant.

FIRE CHIEF GERALD REARDON: Granted.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Agree.

CHAIR NICOLE MURATI FERRER: Granted.

STEVE POSTAL: Sweet. Awesome. Thanks
so much.

APPLICATION:

**BOCA BURRITO CORPORATION D/B/A|
BOCA GRANDE RESTAURANT**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Boca Burrito Corporation doing
business as Boca Grande Restaurant has applied
for a common victualler license at 149 First
Street with a proposed seating capacity of 23 and
proposed hours of 8:00 a.m. to 11:00 p.m. seven
days per week, Silvia Whitman as proposed manager
of record. Premise is described as 500 square
feet of kitchen, order line, counter with five
seats, second floor with 500 square feet with two
bathrooms, storage, office, nine tables with 18
seats and a second egress.

CHAIR NICOLE MURATI FERRER: Please take a seat. Please state your name for the record and spell it as well.

SILVIA WHITMAN: Silvia Whitman,
S-I-L-V-I-A, W-H-I-T-M-A-N.

CHAIR NICOLE MURATI FERRER: You're coming into the Boca Grande space as well, so you're just buying this and --

SILVIA WHITMAN: Just taking over and applying for a victualer license.

CHAIR NICOLE MURATI FERRER: There will be no changes to the operations or hours or anything?

SILVIA WHITMAN: Just taking over the business they've had for 30 years.

POLICE COMMISSIONER CHRISTOPHER BURKE:
No questions.

FIRE CHIEF GERALD REARDON: No questions.

CHAIR NICOLE MURATI FERRER: Anyone in

favor of this petition?

(No response.)

Anyone in opposition of this petition?

(No response.)

I vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Agreed.

CHAIR NICOLE MURATI FERRER: Granted.

Thank you.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Good luck.

SILVIA WHITMAN: That was easy.

APPLICATION:

**WICKED FAST PIZZA, Inc D/B/A
PIZZA REV**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Wicked Fast Pizza, Inc doing

business as Pizza Rev has applied for a common

victualler license at 100 Cambridgeside Place,
inside the Galleria Mall Food Court, Colin
Parker, as proposed manager of record. Premise
is described as 700 square feet plus or minus
space inside the Galleria Food Court.

CHAIR NICOLE MURATI FERRER: Wicked
Pizza? Second call.

Sir, what are you here for?

EXECUTIVE DIRECTOR ELIZABETH LINT: He's
here for Moona and the administrative.

CHAIR NICOLE MURATI FERRER: Ma'am?

UNIDENTIFIED PERSON: I'm here to support
them.

CHAIR NICOLE MURATI FERRER: Why don't we
move on to the other matters and then we'll give
the second call to the matters that they didn't
show up in case they're running late. Very late.

CANCELLATION OF GAR10060

EXECUTIVE DIRECTOR ELIZABETH LINT:

Cancellation of GAR10060 held by ALZY

Incorporated doing business as Trendy's Auto Body at 125 Brookline Street for ceasing to operate the business.

CHAIR NICOLE MURATI FERRER: Board acknowledges licensed cancelled.

CANCELLATION OF OAP10090

EXECUTIVE DIRECTOR ELIZABETH LINT: The building was sold too.

Cancellation of OAP10090 held by East Coast Grille at 1271 Cambridge Street for ceasing to operate the business.

CHAIR NICOLE MURATI FERRER: For the record, this was the one held by the previous persons not the current ones that are going in so we're contacting them to get their parking lot?

EXECUTIVE DIRECTOR ELIZABETH LINT: We have attempted to.

CHAIR NICOLE MURATI FERRER: I mean

they're still -- they're not operating yet,
they're still constructing?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: So board
acknowledges the license cancelled.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Acknowledges.

FIRE CHIEF GERALD REARDON: Acknowledges.

M&R HOSPITALITY GROUP, INC

EXECUTIVE DIRECTOR ELIZABETH LINT: M&R
Hospitality Group, doing business as Moona, has
applied for a new common victualler wine and malt
beverages License to be exercised at 243
Hampshire Street with proposed hours of 5:00 p.m.
to 1:00 a.m. seven days per week with a seating
capacity of 19 inside and eight seasonal patio
seats on private property.

CHAIR NICOLE MURATI FERRER: I'm finding
my notes from last time. Okay. Have you gotten

the green cards back since -- please state and spell your names, please.

MOHAMAD EL ZEIN: M-O-H-A-M-A-D, last name E-L Z-E-I-N.

CHAIR NICOLE MURATI FERRER: I know that we had moved this to today. There had been a question as to whether or not the abutters had received notification. Did we get the green cards?

MOHAMAD EL ZEIN: I do not have any green cards that came back. I have everything that I sent in terms of these receipts, but I have not received anything in the mail in terms of the green cards.

CHAIR NICOLE MURATI FERRER: Did you have an opportunity to meet with the -- meet with the people that talked about with regard to -- that they were concerned about the overcrowding and the noise that would come from the establishment?

MOHAMAD EL ZEIN: Yes. We talked for about 30 to 45 minutes after our last hearing. And 30 minutes into it, we were actually kicked out by Elizabeth from the lobby over here. But we met with both Jacques, who lives at 132 Antrim Street, I believe, and then we also met with Hank, who was the gentleman that showed up with him. And we informed them of exactly what kind of restaurant establishment we were planning on running. And we assured them in no way, shape or form are we looking to have a loud and rowdy bar absence the reason why we also applied for a entertainment license with below sound level and background music as opposed to foreground music. And we also let them know that we both have families and we maintain that kind of a lifestyle and we're not looking for late hours or people hanging out outside in the street.

In addition to both Jacques and Hank

having that conversation with us, there was a lady, I believe by the name of Deb, that also sent an email and we responded to her email and invited her into our space and welcomed her and wanted to meet with her to kind've show her what we were doing. And the points that she addressed were also -- she lives across the street from Trina's Starlite Lounge which is also on Hampshire Street, but it does fall on the Somerville line, and she said they have open windows and it's loud, and she doesn't want another place adding to the sound level.

And we assured her we do not have open windows, and we don't intend on having our doors open at any time and in the future. We don't intend on putting open folded windows, they're very costly and that's not the kind've -- that's not what we're going after.

And that's pretty much it in terms of,

you know, the neighbors that spoke about us opening or had concerns.

CHAIR NICOLE MURATI FERRER: I do note we did not receive any further communications either from the people that were here or from any other persons with regard to the application.

Did you submit your wife's affidavit?

MOHAMAD EL ZEIN: (Nodding.)

CHAIR NICOLE MURATI FERRER: For the record that was a "yes."

Are you ready to vote on this?

POLICE COMMISSIONER CHRISTOPHER BURKE:

Yes, I am.

CHAIR NICOLE MURATI FERRER: Based on the information that was provided at the last hearing and in consideration of everything else that happened since, I actually find that there was sufficient notice -- I mean, I find there was sufficient evidence presented to us to find a

public need for this type of establishment at this location considering the hours and the capacity of 19 inside and eight outside. I think even though the concerns of the neighbors initially for not knowing what exactly was coming in, I could see them, but I think it's very clear that this is going to be good, and I think the public need is going to be served.

I would vote to grant this license.

POLICE COMMISSIONER CHRISTOPHER BURKE: I would agree with that assessment.

CHAIR NICOLE MURATI FERRER: So granted.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: We have the entertainment.

CHAIR NICOLE MURATI FERRER: Why is the entertainment --

EXECUTIVE DIRECTOR ELIZABETH LINT:

Because that had been discussed at the original hearing at least.

CHAIR NICOLE MURATI FERRER: I see. I remember.

EXECUTIVE DIRECTOR ELIZABETH LINT: But it actually hadn't -- the actual application hadn't made it through for music below conversation level.

CHAIR NICOLE MURATI FERRER: I would vote to grant the entertainment.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Agreed.

CHAIR NICOLE MURATI FERRER: Granted.

I'm sorry. You said you wanted to speak?

UNIDENTIFIED PERSON: I was here to support them.

CHAIR NICOLE MURATI FERRER: Do you want to --

UNIDENTIFIED PERSON: There's no need if

you guys approved it.

CHAIR NICOLE MURATI FERRER: You came all the way here.

UNIDENTIFIED PERSON: I was also here to here what was happening with the Kevin Treanor doing my due diligence as president of the association.

CLUBE DESPORTIVO FAIALENSE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Laurence Coelho, on behalf of Clube Desportivo Faialense, has applied for a one-day extension of their license to sell food and alcoholic beverages for a cookout at 1121 Cambridge Street on 7/17/16 from 1:00 p.m. to 6:00 p.m.

CHAIR NICOLE MURATI FERRER: There's a small parking lot owned by the club for the club members only.

About 40 people expected. I vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Agreed. Granted.

CHAIR NICOLE MURATI FERRER: Granted.

**WINE & MALT LICENSES WITH OR WITHOUT
ENTERTAINMENT**

VALERY FRELAND (CONSULATE GENERAL OF FRANCE)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Valery Freland, on behalf of Consulate General of France, has applied for a wine license to be exercised at 194 Brattle Street, Cambridge, on 7/14/16 from 6:00 p.m. to 9:00 p.m. for a Bastille Day event. Expected attendance: 200 people.

CHAIR NICOLE MURATI FERRER: Granted.

MARY GALLAGHER (MIT)

EXECUTIVE DIRECTOR ELIZABETH LINT: Mary

Gallagher, has applied for a malt and wine license to be exercised at MIT, 31 Ames Street, Cambridge, on 6/25/16 from 8:00 p.m. to 11:30 p.m. for a dinner party. Expected attendance:

70 people.

CHAIR NICOLE MURATI FERRER: Granted.

ENTERTAINMENT LICENSES ONLY:

STEPHEN URSPRUNG

EXECUTIVE DIRECTOR ELIZABETH LINT:

Stephen Ursprung, has applied for an entertainment license for a Dance performance at The Dance Complex, 536 Massachusetts Avenue, Cambridge, on 6/24/16, 6/25/16 and 6/26/16 from 9:00 a.m. to 9:00 p.m. with recorded/live music and amplification system. Expected attendance: 20 people.

CHAIR NICOLE MURATI FERRER: And this is outside and that's why we have the Public Works stuff?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Granted.

MARYELLEN CARVELLO

EXECUTIVE DIRECTOR ELIZABETH LINT:

Maryellen Carvello, has applied for an entertainment license for a dance party in front of City Hall, 795 Massachusetts Avenue, Cambridge, on 6/24/16 from 7:00 p.m. to 11:00 p.m. with recorded/live music, amplification system and light show. Expected attendance: 10,000.

CHAIR NICOLE MURATI FERRER: The city dance party. Granted. Fee waived.

PERRY DRIPPS

EXECUTIVE DIRECTOR ELIZABETH LINT: Perry Driggs, has applied for an entertainment license for a concert outside Club Passim, 47 Palmer Street, Cambridge, on 6/23 and 9/8/16 from 5:30 p.m. to 6:30 p.m. with patrons, performers/entertainers dancing, recorded/live music and amplification system. Expected attendance: 300 people.

CHAIR NICOLE MURATI FERRER: They're

asking for the fee to be waived since it was waived for the Dennehy's Park Concert by Richard Vlater (phonetic).

FIRE CHIEF GERALD REARDON: Does this involve a street closing?

CHAIR NICOLE MURATI FERRER: I don't know.

FIRE CHIEF GERALD REARDON: It's not totally close because there's emergency access through there.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: So Thursdays.

EXECUTIVE DIRECTOR ELIZABETH LINT: This is an annual -- this has gone through special events.

CHAIR NICOLE MURATI FERRER: Who is Richard Vlater?

EXECUTIVE DIRECTOR ELIZABETH LINT: I

never heard of Richard Vlater.

POLICE COMMISSIONER CHRISTOPHER BURKE: I don't know.

NICOLE MURATI FERRER: It's a free event, it's nonprofit, I would be okay with waiving the fee.

POLICE COMMISSIONER CHRISTOPHER BURKE: Agree.

FIRE CHIEF GERALD REARDON: If you say so.

CHAIR NICOLE MURATI FERRER: If you're not okay with it, I'm fine to discuss it. I have no idea who Richard Vlater is.

FIRE CHIEF GERALD REARDON: I don't know who anyone is. So I'll.

CHAIR NICOLE MURATI FERRER: I didn't know if it was someone -- I don't know if it was someone for special events or something. Something that has gone through special events, I

didn't know if it was part of the consideration to grant them permits to use the area.

FIRE CHIEF GERALD REARDON: I'm fine. I'll abstain.

CHAIR NICOLE MURATI FERRER: No.

FIRE CHIEF GERALD REARDON: I don't have enough information.

CHAIR NICOLE MURATI FERRER: Let's table it then, yeah?

FIRE CHIEF GERALD REARDON: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: It's an annual event. It has gone through special events. Brian Grover knows all about it.

FIRE CHIEF GERALD REARDON: I'm wondering about the fee thing. If it's a private entity then I don't know why we're doing that.

EXECUTIVE DIRECTOR ELIZABETH LINT: It's a --

CHAIR NICOLE MURATI FERRER: We can get

more information from them.

FIRE CHIEF GERALD REARDON: If it's a nonprofit, we're fine.

CHAIR NICOLE MURATI FERRER: They're a nonprofit -- we can grant the license but discuss the fees issue.

FIRE CHIEF GERALD REARDON: Yep. That's fine.

CHAIR NICOLE MURATI FERRER: So grant to the license and then fee issue need more information. Just because it's going to happen this week, what would --

FIRE CHIEF GERALD REARDON: Two days.

CHAIR NICOLE MURATI FERRER: What would you consider in terms of the waiver of fee?

FIRE CHIEF GERALD REARDON: We can do it. They can pay one way or the other. Why don't you find out? I'm fine with them doing it.

CHAIR NICOLE MURATI FERRER: Okay.

VLADIMIR PIERRE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Vladimir Pierre, has applied for an entertainment license for a basketball tournament at Sennott Park, 310 Broadway, Cambridge, on 7/30/16 from 11:00 a.m. to 5:00 p.m. recorded/live music, amplification system. Expected attendance: 100 people.

CHAIR NICOLE MURATI FERRER: Granted.

MELISSA FRAITAG

EXECUTIVE DIRECTOR ELIZABETH LINT:

Melissa Fraitag, has applied for an entertainment license for a wedding reception at Commonwealth, 11 Broad Canal Way, Cambridge, on 7/30/16 from 6:00 p.m. to 1:00 a.m. with dancing, recorded/live music, amplification system. Expected attendance: 120 people.

CHAIR NICOLE MURATI FERRER: Granted.

LONGFELLOW PROPERTY MANAGEMENT

EXECUTIVE DIRECTOR ELIZABETH LINT:

Longfellow Property Management has applied for a change to a licensed corporation for GFS10027 from HLP/LFREP Ventures, LLC to Cambridge 1030 Mass Ave., LLC.

CHAIR NICOLE MURATI FERRER: We have the letter attached with regard to that. Gas and flammables license. Granted.

DON HIMMELSBACH

EXECUTIVE DIRECTOR ELIZABETH LINT: Don Himmelsbach has applied for a special noise variance to be exercised from July 12, 2016 through July 22, 2016 from 3:00 a.m. to 8:00 a.m. at 1430 Mass Ave. for an 85-foot lift and screw gun. This is for the installation of snow fences on dormers.

CHAIR NICOLE MURATI FERRER: Seriously we're talking about snow already.

EXECUTIVE DIRECTOR ELIZABETH LINT: I

know.

CHAIR NICOLE MURATI FERRER: They say that are planning to perform the work from 3:00 a.m. to 8:00 p.m. due to the large volume of pediatricians. The 85-foot lift does not generate noise while being operated or driven. The other noise would be a screw gun to attach each snow fence. We have the notifications to abutters. No issues. I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Grant.

FIRE CHIEF GERALD REARDON: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

ALBERTO PACHECO

EXECUTIVE DIRECTOR ELIZABETH LINT:
Alberto Pacheco on behalf the Harvard Extension Business Society has applied for a one day wine & malt license to be exercised on June 25th from 8:00 p.m. to 1:00 a.m. for a social concert,

William James Paul.

CHAIR NICOLE MURATI FERRER: Granted.

KATHY WILSON

EXECUTIVE DIRECTOR ELIZABETH LINT: Kathy Wilson on behalf of the Tong Ren Symposium has applied for a one-day vendor license to sell assorted products at 1815 Massachusetts Avenue on Friday, June 24 from 6:00 p.m. to 10:00 p.m., Saturday and Sunday, June 25 from 9:00 p.m. to 5:00 p.m.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: Then the St. Paul's Block Party, you wanted more information about St. Paul's block party. They submitted more information to me. There will not be any BYOB, they will serve whatever beer and wine is to be served in their backyard at the end of the dead-end street on St. Paul Street and music will be in their backyard.

CHAIR NICOLE MURATI FERRER: Do we have that here?

EXECUTIVE DIRECTOR ELIZABETH LINT: No. We couldn't find it.

KRISTIN GLOUSER AND BENJAMIN STENMAN (phonetic)

CHAIR NICOLE MURATI FERRER: I have it here somewhere. This is for Kristin Gloucer and Benjamin Stenman (phonetic) had applied for a wine and malt and entertainment license at 18 St. Paul Street which is a dead end on July 9 from 2:00 p.m. to 8:00 p.m. The expected attendance: 150 people.

So they put they were going to do the malt and wine and also BYOB. They withdrew the BYOB?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: And they understand they cannot allow people to bring in their own alcohol?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: That was my own issue. I was fine with the application otherwise. So I would vote to grant.

Is that here on my agenda? I don't see it on my agenda.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Which?

CHAIR NICOLE MURATI FERRER: This matter we're discussing right now.

EXECUTIVE DIRECTOR ELIZABETH LINT: St. Paul?

CHAIR NICOLE MURATI FERRER: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT: No because it came today.

CHAIR NICOLE MURATI FERRER: I don't know if the other two voted.

Are you okay with the one-day license?

POLICE COMMISSIONER CHRISTOPHER BURKE: I

am.

CHAIR NICOLE MURATI FERRER: So granted.

PENNY PACKERS

EXECUTIVE DIRECTOR ELIZABETH LINT: Then we had two late add-ons, Draper giving Penny Packers permission to vend at 55 Tech Square on June 23 from 11:30 to 1:30.

CHAIR NICOLE MURATI FERRER: Is this someone that's licensed?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: They're just going to do it that day?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: One day?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Uh-huh.

CHAIR NICOLE MURATI FERRER: Granted.

STEVE KURLAND

EXECUTIVE DIRECTOR ELIZABETH LINT: And

last but not least, Steve Kurland on behalf Eagle and Dodd (phonetic) have applied for an entertainment license to be exercised on June 22, June 29 and July 6 with rain dates of July 13, July 20 and July 27, just outside.

CHAIR NICOLE MURATI FERRER: 4:00 p.m. to 9:00 p.m.?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: I would vote to grant. This is actually what the woman sent in here. Hopefully, we can vote on this.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Which, on the --

CHAIR NICOLE MURATI FERRER: The alcohol, the BYOB.

EXECUTIVE DIRECTOR ELIZABETH LINT: They sent me more today.

CHAIR NICOLE MURATI FERRER: Anything else from you?

EXECUTIVE DIRECTOR ELIZABETH LINT: No.
But you wanted a second call on the rules.

CHAIR NICOLE MURATI FERRER: Second call
on the rules. 7:08 p.m., does anyone want to say
anything about the rules, or does anyone want to
say something about the rules today?

Nope.

EXECUTIVE DIRECTOR ELIZABETH LINT: And
Happy Lamb clearly did not show up.

CHAIR NICOLE MURATI FERRER: I don't want
to -- so it's Happy Lamb at 7:08 p.m. we could
certainly reject the application, but I would not
want to reject it without prejudice or we can
just table it, and have them -- I don't know send
a letter or something.

EXECUTIVE DIRECTOR ELIZABETH LINT: We
had been in touch with the attorney all week
so -- late last week and this week, so I'm not
sure if there was an issue in terms of going to

the wrong location.

CHAIR NICOLE MURATI FERRER: But they would have known by now, it's 7:08, I think they would have gotten here by now, actually showed up at 8:31.

EXECUTIVE DIRECTOR ELIZABETH LINT: I can check with him. That's Matt Fogelman.

CHAIR NICOLE MURATI FERRER: I mean, I'm looking for guidance here. We can certainly reject these applications without prejudice, or we could just table them and have them --

POLICE COMMISSIONER CHRISTOPHER BURKE: I suggest we table them.

FIRE CHIEF GERALD REARDON: Yeah. Find out if there's a good reason.

CHAIR NICOLE MURATI FERRER: Let's table Hot Pot.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Hathaway Parking?

CHAIR NICOLE MURATI FERRER: Hathaway,
second call at 7:09, no one showed up. Table it
as well.

EXECUTIVE DIRECTOR ELIZABETH LINT: And
Wicked Fast Foods.

CHAIR NICOLE MURATI FERRER: 7:09 p.m. no
one showed up. Table as well. Okay. And that
would be it for today unless any of you have
anything to say? Okay.

(Hearing adjourned.)

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.

PAGE	LINE	CHANGE:	_____
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_____	_____	CHANGE:	_____

REASON: _____

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.

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 26th day of June, 2016.

Jill Kourafas
Certified Shorthand Reporter
License No. 14903
Notary Public

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