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CAMBRI DGE LI CENSE COMMI SSI ON

Li cense Commi ssi on General Heari ng

i n the

Mi chael J. Lombardi Bui l di ng
Basement Conference Room
831 Massachusetts Avenue
Cambri dge, Massachusetts

6: 13 p. m.

Mi chael P. Gardner, Chai r
Chi ef Gerald R. Reardon, Fi re Department,
Commi ssi oner Robert C. Haas,
Pol i ce Department

El i zabeth Y. Li nt, Executi ve Di rector



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P R O C E E D I N G S

ELIZABETH LINT: It's License

Commission general hearing, Tuesday, October, 9, 2012. It's 6:13 p.m. We're in the Michael J. Lombardi Municipal Building, 831 Mass. Ave., basement conference room. Before you are the Commissioners, Chairman Michael Gardner, Chief Gerald Reardon, and Commissioner Robert Haas.

The Minutes? We need to approve the Minutes. I think just September 11th are the only ones outstanding?

MICHAEL GARDNER: So September 11th is the day that you and I were here, Commissioner, along with Assistant Chief Mahoney. I make the motion to approve those minutes.

ROBERT HAAS: Second that motion.

MICHAEL GARDNER: Motion having been made and seconded, all those in favor signify by saying "Aye."

1 ROBERT HAAS: Aye.

2 MICHAEL GARDNER: Aye.

3 So, Commissioner Haas and I voted to
4 approve the Minutes of September 11th.

5 APPLICATION: GRANGUSTO, LLC

6 ELIZABETH LINT: First matter is the
7 application continued from September 11,
8 2012, Grangusto, LLC, doing business as
9 Grangusto at the Brickyard. Mari Lena
10 Locilento, manager, holder of a wine and malt
11 beverages as a restaurant license at 84
12 Sherman Street has applied to upgrade their
13 existing license to all alcoholic beverages
14 license.

15 MICHAEL GARDNER: Good evening. If
16 you would be so kind as to state and spell
17 your names for the record please.

18 MARI LENA LOCI LENTO: Mari Lena
19 Locilento, M-a-r-i-l-e-n-a L-o-c-i-l-e-n-t-o,
20 manager at Grangusto.

21 ATTORNEY JAMES RAFFERTY: Good

1 evening, Mr. Chairman. For the record, James
2 Rafferty, R-a-f-f-e-r-t-y, appearing on
3 behalf of the licensee.

4 MICHAEL GARDNER: Was this continued
5 because for some reason we didn't hear
6 anything on the 11th?

7 ATTORNEY JAMES RAFFERTY: Yes. We
8 had requested -- it was a scheduling
9 conflict.

10 MICHAEL GARDNER: It was on the
11 agenda, but we this is the first we're
12 hearing of this?

13 ATTORNEY JAMES RAFFERTY: That's
14 correct.

15 And this is an application on behalf of
16 Grangusto which is a very popular, well
17 operate Italian restaurant located at 84
18 Sherman Street across from the entrance to
19 Danehy Park. The licensee and her family
20 have operated the restaurant for
21 approximately five years. It's a modest

1 sized restaurant, about 65 --

2 MARI LENA LOCI LENTO: 64 seats.

3 ATTORNEY JAMES RAFFERTY: -- 64

4 seats. It is proven to be very popular. It

5 is -- it is very much a dining destination.

6 There is no bar. There is -- currently they

7 have operated with a beer and wine license,

8 but for a period of time now they have been

9 receiving requests from patrons to see if

10 particularly, given the time of cuisine,

11 there's a high interest in some after

12 aperitifs for after dinner, and -- what do you

13 call them?

14 MARI LENA LOCI LENTO: Periti vos

15 periti fs.

16 ATTORNEY JAMES RAFFERTY: Periti vos,

17 the pre-dinner liqueurs, and the after dinner

18 liquers, as well as the typical cocktail that

19 a diner might typically request when they go

20 out.

21 So, the applicant or the licensee

1 maintained a petition in the restaurant for a
2 few weeks, and over 100 patrons, all of whom
3 who are from Cambridge, and the vast majority
4 are in close proximity to the restaurant have
5 signed in support. And it's a reflection
6 really of the restaurant's standing within
7 the community. It enjoys a strong reputation
8 in the five years that the applicant has
9 operated the restaurant. There's never been
10 a disciplinary question. They're in full
11 compliance with all of the rules and
12 regulations around the service of alcohol.
13 And it is very much a dining establishment.
14 And this is a request, having established
15 themselves now for five years, for this
16 licensee to seek an upgrade. And consistent
17 with the practice I know the Commission has
18 employed on other occasions, we recognize the
19 beer and wine license has value. They
20 purchased it from the prior operator. We
21 understand the Commission's practice might be

1 that if an upgrade were considered here, that
2 it would not fall within the full value
3 category. It really is an opportunity in a
4 competitive restaurant environment for this
5 operator to be able to better serve their
6 clientele, and also be able to expand the
7 offerings that they provide. So, we're here
8 to answer any questions.

9 As I said, the waiters are all trained.
10 The owner is the operator. It's a family run
11 business. There's very close attention to
12 detail, and there has not been any complaint
13 or discord since the restaurant opened five
14 years ago.

15 MICHAEL GARDNER: How is it that it
16 looks like all of the signatories are from
17 Cambridge? Did you maintain separate titles
18 or separate lists? Or how do that work?

19 ATTORNEY JAMES RAFFERTY: Well,
20 frankly, I advised them about in terms of
21 signatures if people are willing to sign,

1 they should place a priority on Cambridge
2 residents signing.

3 MARI LENA LOCI LENTO: And we draw
4 from the gen -- right from the proximity. We
5 draw -- have a lot of people that live right
6 there within walking distance that come in on
7 a daily basis.

8 MICHAEL GARDNER: And what's the --
9 I know it's right across from the park.
10 What's the residential component around you?

11 MARI LENA LOCI LENTO: It's in a
12 residential area. There's the ball field
13 across the street and it's, it's apartment
14 buildings on each side of us. So it's -- we
15 draw right from there.

16 ATTORNEY JAMES RAFFERTY: There are
17 a few licensees in reasonable proximity at
18 the Sherman Street address. I'd say the most
19 proximate would be the Jose's Mexican Grill
20 right at the railroad tracks on Sherman
21 Street, which is a few hundred yards away.

1 There's a more Irish-style restaurant on
2 Walden Street, Paddy's, and they have an all
3 alcohol license. It has a neighborhood
4 ambience to it. It is a location that --
5 Sherman Street as you know, is an active
6 street, carries a lot of traffic, but the
7 restaurant itself is located in an office
8 building so many of the patrons at the
9 business are also office workers. So it has
10 proven to be a good mix of residential and
11 commercial abutters that are supporting the
12 business.

13 MICHAEL GARDNER: And what are the
14 hours of operation now?

15 MARI LENA LOCILENTO: We're open for
16 lunch and dinner. Open till -- the kitchen
17 closes at ten.

18 MICHAEL GARDNER: And there's no
19 proposal to change the hours of operation.

20 MARI LENA LOCILENTO: No.

21 ATTORNEY JAMES RAFFERTY: No

1 proposal to change the premises. It would be
2 a service bar. There's no bar with seating
3 being requested. It would simply be a
4 service bar where a waiter could bring an
5 alcoholic beverage to a patron. There
6 wouldn't be any change, barstools or bar
7 visible, so that's why the premises
8 description is unchanged. The hours of
9 operation are unchanged. The capacity is
10 unchanged.

11 MARI LENA LOCI LENTO: Right.

12 MICHAEL GARDNER: Thank you.

13 Other questions?

14 ROBERT HAAS: What days of the week
15 are you open?

16 MARI LENA LOCI LENTO: Seven days.

17 ROBERT HAAS: Seven days a week?

18 MARI LENA LOCI LENTO: All seven days.

19 ROBERT HAAS: And you close at ten
20 o'clock those seven days?

21 MARI LENA LOCI LENTO: Yes.

1 MICHAEL GARDNER: Anythi ng el se?

2 GERALD REARDON: No, I 'm fami liar
3 wi th the locati on. I don' t have any
4 questi ons.

5 MICHAEL GARDNER: Are there members
6 of the publ ic who wou ld l ike to be heard on
7 thi s matter?

8 (No Response.)

9 MICHAEL GARDNER: Seei ng none,
10 Ms. Li nt, a representati on was made no
11 di sci pl i nary acti on; i s that correct, as far
12 as you know?

13 ELIZABETH LINT: That i s correct.

14 MICHAEL GARDNER: Pl easure of the
15 Commi ssi on?

16 GERALD REARDON: Make a moti on to
17 approve the appl i cati on for Grangusto, same
18 hours, same locati on, same premi se
19 descri pti on, and same number of seats.

20 ROBERT HAAS: So thi s i s an upgrade
21 of a for val ue l i cense, correct?

1 ELIZABETH LINT: Yes.

2 ROBERT HAAS: So this license will
3 retain value?

4 ELIZABETH LINT: It would not. I
5 think traditionally what we have done is if
6 the restaurant were to close, that the beer
7 and wine portion would hold its value and
8 they would be able to sell that, but the all
9 alcohol portion would disappear.

10 ROBERT HAAS: So if you would,
11 Mr. Chair -- so are you planning to put this
12 license up for sale?

13 MARI LENA LOCI LENTO: No.

14 ATTORNEY JAMES RAFFERTY: No. I
15 mean --

16 ROBERT HAAS: So you're going to
17 hold the beer and wine license in abeyance?

18 ATTORNEY JAMES RAFFERTY: No. As I
19 understood it, the license itself would be
20 upgraded but for purposes of value the
21 upgrade would not carry value. So in a

1 subsequent transfer --

2 ROBERT HAAS: So it would revert
3 back?

4 ATTORNEY JAMES RAFFERTY: That's
5 what I understand.

6 ROBERT HAAS: So it would revert
7 back to a beer and wine license at the time
8 it came to sell it?

9 ATTORNEY JAMES RAFFERTY: Correct.

10 ELIZABETH LINT: Correct.

11 ATTORNEY JAMES RAFFERTY: And I
12 think a subsequent licensee would have to
13 make a case before the Commission regarding
14 the upgrade.

15 GERALD REARDON: Clarification on
16 the motion was going to be that the beer and
17 wine license is no value, but has to be
18 concurrent with the addition of the all
19 alcohol. So if you don't have the beer and
20 wine, you don't have the all alcohol. So you
21 couldn't sell the beer and wine portion and

1 mai n tai n the no val ue?

2 ELI ZABETH LI NT: No, no, no, no.

3 ATTORNEY JAMES RAFFERTY: Ri ght, but
4 what I thi nk what the ABCC woul d do i s to
5 simply approve the upgrade and then you woul d
6 carry i t here wi th an asteri sk.

7 GERALD REARDON: I thi nk what the
8 Commi ssi oner i s poi nti ng to i s that someone
9 coul d possi bl y thi nk they coul d mai n tai n the
10 no val ue li cense and then somehow sel l the
11 beer and wi ne li cense.

12 ATTORNEY JAMES RAFFERTY: Ri ght.
13 No, that woul d -- I woul d -- that woul d not
14 be our i nte nti on. I n fact, we -- there woul d
15 be a lot of reasons not to do that, because I
16 thi nk then you have an asset wi th no val ue.
17 Ri ght. I thi nk that --

18 GERALD REARDON: Just for cl ari ty.

19 ELI ZABETH LI NT: I t woul d al so mean
20 that you had two li censes attached to one
21 property.

1 ATTORNEY JAMES RAFFERTY: Right.

2 ROBERT HAAS: That's what I didn't
3 understand.

4 GERALD REARDON: It's never been the
5 case, but I guess just after the
6 Commissioner's questions, it's a point of
7 clarification that's all.

8 MICHAEL GARDNER: So, Chief, your
9 motion is to approve the upgrade but to
10 designate the upgraded portion as of no value
11 maintaining the beer and wine as a for value
12 license?

13 GERALD REARDON: Correct.

14 MICHAEL GARDNER: I'll second the
15 motion.

16 Any further discussion?

17 All those in favor signify by saying
18 "Aye."

19 ROBERT HAAS: Aye.

20 MICHAEL GARDNER: Aye.

21 GERALD REARDON: Aye.

1 MICHAEL GARDNER: None opposed.

2 Good Luck with the procedure.

3 When are they able to do this?

4 ELIZABETH LINT: It has to go to the
5 ABCC. However long they take.

6 ATTORNEY JAMES RAFFERTY: Thank you
7 very much.

8 MARI LENA LOCI LENTO: Thank you very
9 much.

10 APPLICATION: WAGAMAMA BOSTON ONE, LLC

11 ELIZABETH LINT: Application,
12 Wagamama Boston One, LLC doing business as
13 Wagamama, Victoria Oellers, manager, holder
14 of an alcohol beverages as a restaurant
15 license at 57 JFK Street has applied for a
16 change of manager to Dan Drugge.

17 MICHAEL GARDNER: Good evening. If
18 both of you would be so kind as to state and
19 spell your names for the record.

20 ATTORNEY BERNARD GOLDBERG: Bernard
21 Goldberg, 620 Massachusetts Avenue in

1 Cambridge representing the Petitioner
2 Wagamama and the proposed manager of the
3 restaurant.

4 DANIEL DRUGGE: Daniel Drugge,
5 D-r-u-g-g-e.

6 MICHAEL GARDNER: Go ahead,
7 Mr. Goldberg.

8 ATTORNEY BERNARD GOLDBERG: Yes,
9 Daniel has been working for Wagamama in the
10 various locations that exist presently in
11 Harvard Square, Prudential, and Faneuil
12 Market. He's been with them for
13 approximately four years, and now there has
14 been a change in manager shift at the Harvard
15 Square and he has been selected as the
16 manager. He's experienced so far as all of
17 the liquor laws are concerned, and he is
18 familiar with the rules and regulations of
19 the laws concerning the service of liquor to
20 minors and the like. And at this moment in
21 time he is available for any questions you

1 may have concerning his experience and
2 concerning his operation of the restaurants
3 in the various localities where he's been
4 working.

5 MICHAEL GARDNER: Thank you.

6 So Mr. Drugge, have you been the
7 manager of record in any of the locations
8 that you've worked either for Wagamama or
9 previously?

10 DANIEL DRUGGE: Not a manager of
11 record on a license, no.

12 MICHAEL GARDNER: Okay.

13 And what's your understanding of the
14 sort of change in both your responsibility
15 and obligations if your name is on the
16 license?

17 DANIEL DRUGGE: My understanding is
18 that if there is a violation, then I'm the
19 one who needs to take account and correct any
20 sort of violation that would occur and also
21 that I need to maintain good training

1 operations to not have a violation and to
2 adhere to all the laws of the state. Yes.

3 MICHAEL GARDNER: And so in the
4 prior positions that you've held either at
5 Wagamama or earlier, how frequently have you
6 been the senior person on-site at the
7 location? So there's nobody else besides you
8 to answer for operations at a given time?

9 DANIEL DRUGGE: This is -- I was
10 recently promoted to general manager at this
11 location, so this would be my first time to
12 be the senior manager in charge of the
13 location.

14 MICHAEL GARDNER: Okay.
15 Have you had the experience of working
16 shifts where you were the senior person
17 there?

18 DANIEL DRUGGE: Oh, absolutely.
19 I've been the senior person at Wagamama for
20 five shifts a week for four years now. Prior
21 to coming to Massachusetts I also worked in

1 California in restaurants with a beer and
2 wine license where again, I would be the
3 senior manager on shift for day-to-day
4 operations.

5 MICHAEL GARDNER: And how many years
6 total would you estimate you've been -- had
7 responsibility level like that?

8 DANIEL DRUGGE: Approximately eight
9 years.

10 MICHAEL GARDNER: Okay.

11 And have you taken the required
12 training in Cambridge yet?

13 DANIEL DRUGGE: I have not taken the
14 required Cambridge. I believe there is
15 similar to a TIPS class. I am TIPS
16 certified, but I have not taken the class
17 yet.

18 MICHAEL GARDNER: And how long de
19 facto, if at all, have you been functioning
20 as the general manager at the Cambridge
21 location?

1 DANIEL DRUGGE: Since July.

2 MICHAEL GARDNER: Any reason you
3 haven't come forward since then or prior to
4 now?

5 DANIEL DRUGGE: As far as the --

6 MICHAEL GARDNER: To make the
7 application?

8 DANIEL DRUGGE: To make the
9 application? Once I got the promotion, the
10 head office went and put everything in motion
11 and I was got into contact with Bernie and we
12 went through the process together. I
13 apologize if I haven't done so sooner.

14 MICHAEL GARDNER: Just asking.

15 DANIEL DRUGGE: Okay.

16 MICHAEL GARDNER: Other questions?

17 ROBERT HAAS: So how long did you
18 work for Wagamama corporation?

19 DANIEL DRUGGE: I worked for four
20 years.

21 ROBERT HAAS: Four years?

1 DANIEL DRUGGE: Four years. I
2 started at the Harvard Square location.

3 ROBERT HAAS: Right.

4 DANIEL DRUGGE: And I helped open up
5 the location at the Prudential Center, which
6 is the main reason for me coming on to
7 Wagamama. And then I worked over at the
8 Faneuil Hall location most recently where I
9 was the assistant general manager over there,
10 and in July I was promoted to Harvard Square.

11 MICHAEL GARDNER: Any other
12 questions?

13 ROBERT HAAS: No other questions.

14 GERALD REARDON: No further
15 questions.

16 MICHAEL GARDNER: Are there any
17 members of the public who would like to be
18 heard on this matter?

19 (No Response.)

20 MICHAEL GARDNER: Seeing none, I'll
21 make the motion to approve Daniel Drugge as

1 the manager of record for the Wagamama at 57
2 JFK Street subject to completion of the
3 Cambridge required training and any other
4 requirements established by the staff and the
5 Commission.

6 ROBERT HAAS: Second.

7 MICHAEL GARDNER: 21-Proof is what
8 we call it; right?

9 ELIZABETH LINT: Yes.

10 ROBERT HAAS: 21-Proof.

11 Second.

12 MICHAEL GARDNER: Motion having been
13 made and seconded, all those in favor signify
14 by saying "Aye."

15 ROBERT HAAS: Aye.

16 GERALD REARDON: Aye.

17 MICHAEL GARDNER: Aye.

18 None opposed.

19 So good luck and welcome to Cambridge.

20 DANIEL DRUGGE: Thank you very much.

21 MICHAEL GARDNER: Good luck to you

1 and the operation.

2 APPLICATION: J. H. RESTAURANT, CAMBRIDGE, LLC

3 ELIZABETH LINT: Application, J. H.

4 Restaurant, Cambridge, LLC doing business as

5 John Harvard's Brew House, Steen Sawyer,

6 manager, holder of an all alcoholic beverages

7 as a restaurant license at 33 Dunster Street

8 has applied for a change of manager to

9 Michael McBride.

10 MICHAEL MCBRIDE: That's me.

11 MICHAEL GARDNER: Good evening. If
12 you'd be so kind to spell and state your name
13 for the record.

14 MICHAEL MCBRIDE: My name is Michael
15 S. McBride, M-i-c-h-a-e-l S. M-c-B-R-I-D-E.

16 MICHAEL GARDNER: And could you
17 describe your experience in the industry,
18 please?

19 MICHAEL MCBRIDE: It's a long one.
20 It's been about 30 years. Liquor license, I
21 think the first one I was on was Avalon in

1 Boston on Lansdowne Street.

2 Louie's Capitol Grille in Providence, I
3 was a partner down there. And I spent three
4 years as an area director for Ruby Tuesday in
5 Central New England. So I've been on the
6 Attleboro license, the Worcester license, and
7 the Salem, New Hampshire, license.

8 MICHAEL GARDNER: So you're a
9 manager of record in --

10 MICHAEL McBRI DE: In all those
11 locations that I mentioned.

12 MICHAEL GARDNER: -- in all those
13 locations.

14 MICHAEL McBRI DE: And maybe, maybe
15 some more.

16 MICHAEL GARDNER: All right. And
17 have you been serving de facto as the manager
18 at John Harvard's Brew House in Cambridge
19 prior to this evening?

20 MICHAEL McBRI DE: I started on June
21 1st.

1 MI CHAEL GARDNER: And any reason you
2 haven't come in earlier?

3 MI CHAEL McBRI DE: We actual ly closed
4 down two weeks after for a major remodel and
5 reopened on September 8th. So a lot of --
6 anything that was being fixed and cleaned up
7 with the company was done during the time
8 that we were closed.

9 MI CHAEL GARDNER: And so in June was
10 that the first time you started to work for
11 this organi zati on?

12 MI CHAEL McBRI DE: Yes.

13 MI CHAEL GARDNER: As part of your
14 orientati on or traini ng to the job, were you
15 made fami liar with the di sci pl i nary di spute
16 that occurred i nvol vi ng the Brew House and
17 the Cambri dge Li cense Commi ssi on I guess
18 wi thi n the l ast two years?

19 MI CHAEL McBRI DE: I came across
20 those records mysel f on the premi ses.

21 MI CHAEL GARDNER: Can you gi ve us

1 some sense of your own approach to control of
2 underaged drinking?

3 MICHAEL MCBRIDE: It is definitely a
4 policy for anyone who looks to be 30 or
5 younger to be ID'd. We do have the ID books
6 behind the bar and at the hosting and servers
7 to look at, too. I know that the team was
8 ServSafe certified before -- I'm just
9 learning about the 21 --

10 MICHAEL GARDNER: Proof.

11 MICHAEL MCBRIDE: 21-Proof program,
12 too. We were talking about certifying
13 ServSafe all the team members, and maybe we
14 should be doing 21-Proof since we're in
15 Cambridge. I wasn't clear on that. But as
16 part of the training, all the, all the books
17 go through the process of how you ID, how you
18 take care of people, the responsibility we
19 have to their well-being. And the teams so
20 far have displayed a really positive approach
21 to enforcing that.

1 MICHAEL GARDNER: One of the
2 representations made at the hearing by the
3 representative of the licensee were that the
4 system was, as I recall it, saying
5 essentially foolproof and it was impossible
6 for an underage person to be served. That
7 was an assertion I thought a little too bold
8 and far reaching to actually be believable,
9 but I wonder if you describe what you see as
10 the principal risks or vulnerabilities that
11 could make an organization subject to
12 actually experiencing underage consumption.

13 MICHAEL MCBRIDE: My experience is
14 always the human part in that if someone's
15 going to let you down or they're looking the
16 other way, not following the responsibility
17 that they have, it -- the managers have to be
18 in the dining room and we have to keep an eye
19 on the clientele. What I do if I'm up front,
20 and I'm teaching my managers to do this, too,
21 is that you're identifying somebody who

1 should not be drinking or somebody that is
2 not of age and you share that knowledge with
3 the servers or the bartenders. Or you're
4 watching somebody move from one place or
5 another, it's just diligence. I'm sure that
6 there are people that let people drink in
7 anywhere. I agree with you. I'm not going
8 to sit here and say nothing's ever going to
9 happen on my watch, but I'm going to do my
10 best to make sure it doesn't happen and my
11 team knows that, too. I just think it's a
12 matter of us being in the dining room and
13 being the enforcers. We can't leave it to
14 anybody to do it on their own.

15 MICHAEL GARDNER: Thank you.

16 Any questions?

17 ROBERT HAAS: What brought you to
18 John Harvard's.

19 MICHAEL McBRI DE: The traveling to
20 Ruby Tuesday was killing me. I was always on
21 the road and I put 60,000 miles on my car in

1 one year. When I met the Central Plate
2 Company, the people who represented it, I saw
3 a lot of genuine concern for John Harvard's,
4 the 20-year-old unit and the love for it.
5 Because when I went down the stairs, there
6 was no way I was going to work there. It was
7 old and it was dirty and it needed to be
8 redone. And when he said \$2 million remodel,
9 I couldn't resist the project.

10 ROBERT HAAS: So you were the one
11 that spurred on the remodeling?

12 MICHAEL MCBRIDE: Well, no, they
13 already had it in the workings. But I had
14 done something like this previously after I
15 had done Capitol Grille and they liked my
16 resume and they really wanted me to come work
17 for them. I thought settling down again in
18 one restaurant would be good for me. But
19 there's also a great growth opportunity with
20 them if we open more than one John Harvard's
21 and we'll see what happens in the next year

1 in Cambridge.

2 ROBERT HAAS: Okay. Any more plans
3 in Cambridge?

4 MICHAEL MCBRIDE: Well, they hope to
5 expand the concept is what they'd like to do.

6 ROBERT HAAS: Okay. No other
7 questions.

8 MICHAEL GARDNER: Chief?

9 GERALD REARDON: Any issues in any
10 other locations where you've held manager of
11 record?

12 MICHAEL MCBRIDE: I have not
13 actually. Aside from the ongoing physical
14 conflicts in the Avalon days, I've had a
15 pretty good run at my locations.

16 GERALD REARDON: Probably Capitol
17 Grille has different kinds of challenges.

18 MICHAEL MCBRIDE: Exactly. But, you
19 know, I'm finding people in Cambridge to be
20 really -- there's an awe about John Harvard's
21 and the age and the remodel and people coming

1 in, they're very respectful of what we've
2 done. And for me I'm trying to teach them,
3 too, a lot of this is confidence. If they
4 know I'm not a big guy, but they know they
5 can't mess with me, and I'm concerned about
6 their well-being it seems to work. It's got
7 to be sincere.

8 GERALD REARDON: I know John
9 Harvard's since it been the Spaghetti
10 Emporium.

11 MICHAEL MCBRIDE: That's before 33
12 Dunster.

13 ELIZABETH LINT: I was going to say
14 I remember 33 Dunster.

15 MICHAEL GARDNER: I ate at Spaghetti
16 Emporium. I found the price was right.

17 GERALD REARDON: No further
18 questions.

19 MICHAEL GARDNER: Are there any
20 members of the public who'd like to be heard
21 on this matter?

1 (No Response.)

2 MICHAEL GARDNER: Seeing none, I'll
3 make the motion to approve the change of
4 manager to Michael McBride.

5 GERALD REARDON: So moved.

6 MICHAEL GARDNER: Subject to the
7 requiring the 21-Proof.

8 ELIZABETH LINT: And just for the
9 record, background check is in order as it
10 was on the last one.

11 MICHAEL GARDNER: Okay, I'm sorry.
12 If you haven't completed a background check
13 yet, then we'll --

14 ELIZABETH LINT: No, it's all set.

15 MICHAEL MCBRIDE: Oh, I'm with you.

16 MICHAEL GARDNER: So, the motion is
17 approval subject to 21-Proof and any other
18 requirements.

19 ROBERT HAAS: Second.

20 MICHAEL GARDNER: All those in favor
21 signify by saying "Aye."

1 GERALD REARDON: Aye.

2 ROBERT HAAS: Aye.

3 MI CHAEL GARDNER: Aye.

4 So the change is approved and good
5 luck.

6 MI CHAEL MCBRIDE: Thank you.

7 MI CHAEL GARDNER: Appreciate what I
8 would at least regard as your realistic
9 approach to the job.

10 MI CHAEL MCBRIDE: Absolutely. Thank
11 you.

12 APPLICATION: LEGAL SEA FOODS

13 ELIZABETH LINT: Application, Legal
14 Sea Foods, LLC, doing business as Legal Sea
15 Foods, holder of an all alcoholic beverages
16 as restaurant license at 5 Cambridge Center,
17 5 Bennett Street, and at 20 University Road
18 has applied for a change of members in the
19 LLC.

20 MI CHAEL GARDNER: Good evening. If
21 you would be so kind to state and spell your

1 name for the record.

2 BARBARA TUTT: My name is Barbara
3 Tutt and that's spelled T-u-t-t.

4 MICHAEL GARDNER: And your role,
5 Ma'am?

6 BARBARA TUTT: I'm a paralegal.

7 MICHAEL GARDNER: Tell us about the
8 plans.

9 BARBARA TUTT: In this, in May of
10 this year, the board of managers of LLC went
11 from five to six and they elected Paul Levy
12 as the new manager and the others are still
13 there.

14 MICHAEL GARDNER: As a new member of
15 the Board?

16 BARBARA TUTT: As a new member of
17 the Board, yes.

18 MICHAEL GARDNER: And if you could
19 describe his background for us briefly.

20 BARBARA TUTT: Absolutely. He's now
21 self-employed. He was, for many years,

1 president of a major hospital. I can't
2 remember which one. I think it was Beth
3 Israel.

4 MICHAEL GARDNER: Okay. That Paul
5 Levy?

6 BARBARA TUTT: Yes.

7 MICHAEL GARDNER: And just for
8 clarification, Ms. Lint, when there's a
9 change like this this is something that we
10 need to be notified to and act to approve?

11 ELIZABETH LINT: Yes, absolutely.
12 It also required a background check and it
13 goes to the ABCC as well.

14 MICHAEL GARDNER: So if, you know,
15 Ma'am, is this a process you're going through
16 with Legal Sea Foods in other jurisdictions?

17 BARBARA TUTT: Yes, all of them.

18 MICHAEL GARDNER: And when did the
19 change take place?

20 BARBARA TUTT: May 14th.

21 MICHAEL GARDNER: Other questions?

1 ROBERT HAAS: No other questions.

2 GERALD REARDON: No further

3 questions.

4 MICHAEL GARDNER: Any members of the
5 public who would like to be heard on this
6 matter?

7 (No Response.)

8 MICHAEL GARDNER: Seeing none, I'll
9 make --

10 ROBERT HAAS: Background check?

11 ELIZABETH LINT: All set.

12 MICHAEL GARDNER: The background's
13 checks been completed?

14 ELIZABETH LINT: Yes.

15 MICHAEL GARDNER: All right.

16 On the basis of that I'll make the
17 motion to approve the change in members of
18 the LLC to add the name of Paul Levy to the
19 list of members.

20 ROBERT HAAS: Second.

21 MICHAEL GARDNER: Motion having been

1 made and seconded, all those in favor signify
2 by saying "Aye."

3 ROBERT HAAS: Aye.

4 GERALD REARDON: Aye.

5 MICHAEL GARDNER: Aye.

6 None opposed.

7 Thank you, Ms. Tutt.

8 BARBARA TUTT: I'll stay here.

9 ELIZABETH LINT: There's three more.

10 APPLICATION: LEGAL SEA FOODS, LLC.

11 ELIZABETH LINT: Application Legal
12 Sea Foods, LLC, doing business as Legal Sea
13 Foods, Peter Barker, manager, holder of an
14 all alcoholic beverages as a restaurant
15 license at 5 Cambridge Center has applied for
16 a change of manager to Joseph Deagle.

17 MICHAEL GARDNER: Good evening.

18 Could just state and spell your name for the
19 record, sir.

20 JOSEPH DEAGLE: Joseph Deagle,

21 J-o-s-e-p-h Deagle, D-e-a-g-l-e.

1 MICHAEL GARDNER: And you may have
2 been here for some other actions like this.
3 I'd like you, if you could, please, briefly
4 summarize your experience in the industry and
5 if at any time you've been the manager of
6 record.

7 JOSEPH DEAGLE: Okay. I've been in
8 the culinary industry with restaurants for
9 about 15 years now. Recently with Legal Sea
10 Foods for the past three years as chef.
11 Before that I was in California for eight
12 years as chef and manager on duty at most
13 times at establishments. And this would be
14 the first time on record.

15 MICHAEL GARDNER: Have you been
16 serving in the role prior to this evening?

17 JOSEPH DEAGLE: I have.

18 MICHAEL GARDNER: And for how long?

19 JOSEPH DEAGLE: I've been at this
20 location since February.

21 MICHAEL GARDNER: And any reason

1 you're just coming to us now?

2 JOSEPH DEAGLE: Yes. There was a
3 transfer of in front of the house management
4 from our location to another location, but I
5 have always been the chef at that location
6 since February, and then this has been the
7 process since August.

8 MICHAEL GARDNER: So when did you
9 essentially become functioning as the manager
10 of record de facto?

11 JOSEPH DEAGLE: Yeah, I believe he
12 maybe left three months ago.

13 MICHAEL GARDNER: Any particular
14 challenges or issues you faced or things
15 you've learned that you didn't know about
16 before you became responsible?

17 JOSEPH DEAGLE: No. We make sure
18 that all bartenders are ServSafe certified in
19 alcohol as well as all our servers as well.
20 It's required as a company to make sure that
21 they are ServSafe certified before they start

1 servi ng.

2 MI CHAEL GARDNER: As part of the
3 transi ti on, were you told that Cambri dge has
4 a 21-Proof trai ni ng wi th somewhat di fferent
5 than other pl aces?

6 JOSEPH DEAGLE: Yes, I have.

7 MI CHAEL GARDNER: And have you made
8 arrangements to have that trai ni ng yet?

9 JOSEPH DEAGLE: I'm i n the process
10 of i t ri ght now. I have not taken i t yet.

11 MI CHAEL GARDNER: Other questi ons?

12 ROBERT HAAS: No other questi ons.

13 GERALD REARDON: No further
14 questi ons.

15 MI CHAEL GARDNER: Are there any
16 members of the publ ic who woul d l i ke to be
17 heard on thi s matter?

18 (No Response.)

19 MI CHAEL GARDNER: I'll try to l earn
20 here, has the background check been
21 compl eted?

1 ELIZABETH LINT: It's fine.

2 MICHAEL GARDNER: Okay.

3 On the basis of that I'll make the
4 motion to approve Joseph Deagle as the
5 manager of record for the Legal Sea Foods at
6 5 Cambridge Center, subject to completion of
7 the 21-Proof training and any other
8 administrative requirements of the staff and
9 the Commission.

10 GERALD REARDON: Second.

11 MICHAEL GARDNER: Motion having been
12 made and seconded, all those in favor signify
13 by saying "Aye."

14 ROBERT HAAS: Aye.

15 GERALD REARDON: Aye.

16 MICHAEL GARDNER: Aye.

17 Welcome to Cambridge. Wish you luck.

18 JOSEPH DEAGLE: Thank you very much.

19 APPLICATION: LEGAL SEA FOODS, LLC

20 ELIZABETH LINT: I think we can take
21 the next two together. Application Legal Sea

1 Foods, LLC, doing business as Legal Sea
2 Foods, Jennifer Echevarria, manager, holder
3 of an all alcoholic beverages as a restaurant
4 license at 5 Bennett Street has applied for a
5 change of manager to Layne Copell.

6 Legal Sea Foods, LLC, doing business as
7 Legal Sea Foods, Jennifer Echevarria,
8 manager, holder of an all alcoholic beverages
9 as a restaurant license at 20 University Road
10 has applied for a change of manager to Layne
11 Copell.

12 MICHAEL GARDNER: If you would be so
13 kind, sir, to spell and state your name for
14 the record.

15 LAYNE COPELL: Layne Copell,
16 L-a-y-n-e C-o-p-e-l-l.

17 MICHAEL GARDNER: Could you just
18 previously describe your experience with the
19 industry?

20 LAYNE COPELL: I've been with Legal
21 Sea Foods for six years. I was manager on

1 record at the Copley Location in Boston for
2 two years. Previous to that I was a resident
3 of Louisiana for 18 years, and I've been a
4 chef for 21 years.

5 MICHAEL GARDNER: Any issues or
6 challenges at the Copley Location that you
7 had while you were there?

8 LAYNE COPELL: No, sir.

9 MICHAEL GARDNER: And have you been
10 de facto functioning as the manager at these
11 two locations prior this evening?

12 LAYNE COPELL: Yes, sir.

13 MICHAEL GARDNER: And for how long?

14 LAYNE COPELL: Since August.

15 MICHAEL GARDNER: Any issues or
16 concerns that have arisen during that time?

17 LAYNE COPELL: No, sir.

18 MICHAEL GARDNER: And are you
19 familiar with the 21-Proof requirement?

20 LAYNE COPELL: I am.

21 MICHAEL GARDNER: Have you completed

1 i t yet?

2 LAYNE COPELL: I have not.

3 MICHAEL GARDNER: Is there a reason
4 for that? I'm not -- just my own interest.

5 I mean if you know it's there, I'm just
6 wondering why you didn't move before now.

7 LAYNE COPELL: Yeah. Generally
8 Legal Sea Foods only holds one manager.
9 Whoever the manager is on record in that
10 position to get the training.

11 MICHAEL GARDNER: You have no
12 problems then completing it?

13 LAYNE COPELL: No, sir.

14 MICHAEL GARDNER: And we have two
15 separate licenses here as I understand it;
16 one is for the indoors and one is for the
17 outdoor patio?

18 LAYNE COPELL: Yes, sir.

19 MICHAEL GARDNER: Which is the patio
20 if you know?

21 LAYNE COPELL: 5 Bennett Street.

1 MICHAEL GARDNER: I'm unfamiliar
2 with that. I don't know, is there -- either
3 to you or you, Ma'am, or Ms. Lint know a
4 reason why it's been split this way or what
5 the effect, if any, of this is?

6 ELIZABETH LINT: Well, it's clearly
7 two separate locations and the addresses are
8 designated by the assessor's so it's where
9 they front I guess.

10 MICHAEL GARDNER: So you think it
11 was our wanting separate licenses because of
12 the physical layout?

13 ELIZABETH LINT: They would have to
14 have two separate licenses.

15 GERALD REARDON: It was two parcels
16 at the time.

17 MICHAEL GARDNER: Other questions?

18 ROBERT HAAS: So just one question
19 out of curiosity, is it just coincidence that
20 you changed your LLC and all of a sudden
21 you've changed your managers?

1 BARBARA TUTT: Oh, no, no. It's
2 coincidence.

3 ROBERT HAAS: Coincidence?

4 MICHAEL GARDNER: Economy of scales
5 for you to come this evening as opposed to
6 many times?

7 BARBARA TUTT: Yes.

8 MICHAEL GARDNER: Other questions?

9 ROBERT HAAS: No other questions.

10 GERALD REARDON: No further
11 questions.

12 MICHAEL GARDNER: Are there any
13 members of the public who would like to be
14 heard on this matter?

15 (No Response.)

16 MICHAEL GARDNER: Seeing none, I'll
17 make the motion to approve the change in
18 managers for 5 Bennett Street and 20
19 University Road Legal Sea Foods to the new
20 manager Layne Copell subject to completion of
21 21-Proof training and any other

1 admi ni strati ve requi rements requi red by the
2 staff or the Commi ssi on.

3 ROBERT HAAS: Secoded.

4 MI CHAEL GARDNER: Moti on havi ng been
5 made and secoded, all those i n favor signi fy
6 by sayi ng "Aye. "

7 GERALD REARDON: Aye.

8 ROBERT HAAS: Aye.

9 MI CHAEL GARDNER: Aye.

10 None opposed.

11 Wish you wel l and wel come to Cambri dge.

12 APPLI CATION. P. F. CHANG' S CHI NA BI STRO, INC.

13 ELI ZABETH LI NT: Appl i cati on P. F.

14 Chang' s Chi na Bi stro, Incorporated, doi ng

15 busi ness as P. F. Chang' s, Stephen Dray,

16 manager, hol der of an al coholic beverages as

17 a restaurant li cense at 100 Cambri dgesi de

18 Place has appl i ed for a change of

19 offi cers/di rectors I n the operati on.

20 MI CHAEL GARDNER: And i f you woul d

21 be so ki nd to state and spel l your name for

1 the record and your affiliation.

2 ATTORNEY ANDREW UPTON: Andrew
3 Upton, U-p-t-o-n with Di ni col a, Sel igson and
4 Upton, representing P. F. Chang Chi na Bi stro,
5 Inc.

6 MICHAEL GARDNER: Tell us about the
7 proposed change, sir, or the change.

8 ATTORNEY ANDREW UPTON: We have the
9 addition of three new members to the
10 corporate board of directors. This will take
11 effect in Scottsdale, Arizona. There will be
12 no impact on the restaurant in Cambridge, on
13 the menu, on the management, or on any
14 facility in Massachusetts, but the ABCC
15 requires full disclosure of these new
16 managers.

17 MICHAEL GARDNER: And do you know
18 their names?

19 ATTORNEY ANDREW UPTON: Yes. They
20 are there Mr. Long, Mr. Doschi, and
21 Mr. Mozi ngo.

1 MICHAEL GARDNER: Do you have any
2 summary of their experience or
3 qual i fi cati ons?

4 ATTORNEY ANDREW UPTON: I bel i eve
5 thei r experi ence and qual i fi cati ons i nvol ve
6 bei ng successful busi nessmen and venture
7 capi tal i sts who have i nvested i n the
8 corporati on as a whol e.

9 MICHAEL GARDNER: Is thi s subj ect to
10 a background check by us?

11 ELI ZABETH LINT: Yes.

12 MICHAEL GARDNER: Okay. And has
13 that been done yet?

14 ELI ZABETH LINT: Yes, i t has. I t' s
15 sati sfactory.

16 MICHAEL GARDNER: And you' re
17 representing to us, Mr. Upton, that thi s
18 shoul d have no i mpact on the Cambri dge
19 operati on?

20 ATTORNEY ANDREW UPTON: No, not at
21 all .

1 MICHAEL GARDNER: Other questions?

2 GERALD REARDON: No questions.

3 ROBERT HAAS: No questions.

4 MICHAEL GARDNER: Are there any
5 members of the public who would like to be
6 heard on this matter?

7 (No Response.)

8 MICHAEL GARDNER: Seeing none, I
9 will make the motion to approve the change of
10 managers/directors in the corporation of P. F.
11 Chang's China Bistro, Inc. as described this
12 evening.

13 ROBERT HAAS: Second.

14 MICHAEL GARDNER: Motion having been
15 made and seconded, all those in favor signify
16 by saying "Aye."

17 GERALD REARDON: Aye.

18 ROBERT HAAS: Aye.

19 MICHAEL GARDNER: Aye.

20 None opposed.

21 Glad we could take care of that.

1 ATTORNEY ANDREW UPTON: Thank you
2 very much.

3 MICHAEL GARDNER: You're welcome.

4 ELIZABETH LINT: And, Mr. Chair, I
5 if I may. I know Mr. Upton has an engagement
6 elsewhere, but he does have one other matter
7 on the agenda if you wouldn't mind taking out
8 of order?

9 MICHAEL GARDNER: Where is it?

10 ELIZABETH LINT: Trader Joe's. Top
11 of the third page.

12 APPLICATION: TRADER JOE'S EAST, INC.

13 MICHAEL GARDNER: So, Mr. Upton, on
14 the --

15 ELIZABETH LINT: I have to announce
16 it.

17 Application Trader Joe's East,
18 Incorporated, doing business as Trader Joe's,
19 Jennifer Ballbach, manager, holder of a wine
20 and malt license as a package store at 748
21 memorial Drive has applied for a change of

1 manager to Mel ani e Chesl ey and a change of
2 offi cer/di rector i n the corporati on.

3 MI CHAEL GARDNER: I f you coul d
4 please state and spell your name for the
5 record?

6 MELANI E CHESLEY: Mel ani e Chesl ey,
7 M-e-l -a-n-i -e, Chesl ey, C-h-e-s-l -e-y.

8 MI CHAEL GARDNER: Thank you.

9 Mr. Upton, do you want to bri efl y
10 summari ze thi s?

11 ATTORNEY ANDREW UPTON: Thank you,
12 Mr. Chai rman. For the record agai n, Andrew
13 Upton representing Trader Joe' s East,
14 Incorporated, the li censee at 748 Memori al
15 Drive. We have both a change of di rector and
16 a change of offi cer i n thi s appli cati on. The
17 addi ti on of a new di rector i s to sati sfy the
18 statutory requi rement that a maj ori ty of
19 di rectors be Massachusetts' resi dents. So we
20 are attempti ng to add a Edward Seeker
21 (phoneti c) as a new di rector.

1 MICHAEL GARDNER: Say the name
2 agai n.

3 ATTORNEY ANDREW UPTON: Edward
4 Seeker and Mel ani e Chesley wi ll be the new
5 manager. She is a Cambri dge resi dent. She
6 has been worki ng for Trader Joe' s i n two
7 separate l ocati ons i n Cambri dge and has sol i d
8 experi ence there. She has al ready taken and
9 successful ly compl eted the 21-Proof course,
10 and we' re here to answer any further
11 questi ons you have.

12 MICHAEL GARDNER: Any pri or
13 experi ence as a manager of record?

14 MELANI E CHESLEY: I' ve been a
15 manager of record for Trader Joe' s i n
16 Burl ington, but i t' s not an al coh ol store.
17 So I was there for a year before comi ng.

18 ROBERT HAAS: It is or is not?

19 MELANI E CHESLEY: What' s that?

20 ROBERT HAAS: It is or is not?

21 MELANI E CHESLEY: It' s not.

1 ROBERT HAAS: Is not.

2 MELANIE CHESLEY: So this is my
3 first alcohol store.

4 MICHAEL GARDNER: What's your sense
5 of the additional challenges of your 745
6 Memorial Drive location, if any?

7 MELANIE CHESLEY: Well, I definitely
8 feel an added sense of responsibility to the
9 community in making sure that I, you know,
10 training people really adequately to make
11 sure that we're keeping people safe. So
12 there's, you know, a little more pressure in
13 that for sure.

14 MICHAEL GARDNER: What's your
15 general policy with respect to ID checks?

16 MELISSA CHESLEY: We check anyone 35
17 and younger in that store.

18 MICHAEL GARDNER: And have you been
19 de facto functioning in this role for any
20 time prior to this evening?

21 MELISSA CHESLEY: Yes, I started

1 there on July 30th. And I think we applied
2 for the -- about a month later. So, it's...

3 MICHAEL GARDNER: And any incidents
4 or challenges since you've taken on the job?

5 MELISSA CHESLEY: Nothing to speak
6 of, no.

7 MICHAEL GARDNER: Other questions?

8 ROBERT HAAS: What's your total
9 experience with Trader Joe's, years?

10 MELISSA CHESLEY: Three years.

11 ROBERT HAAS: Three years?

12 MELISSA CHESLEY: Uh-huh.

13 ROBERT HAAS: Did you work in any
14 stores that served alcohol?

15 MELISSA CHESLEY: In Las Vegas.

16 ROBERT HAAS: Were you the manager?

17 MELISSA CHESLEY: I wasn't the head
18 manager, but I did serve as manager, you
19 know, frequently in each of those stores, but
20 I was not the general manager.

21 ROBERT HAAS: What was your

1 responsibility with respect to serving
2 alcohol?

3 MELISSA CHESLEY: Very similar.
4 Very similar to here. In some of the stores
5 there all of the employees have to be -- to
6 go through a training, you know, city
7 training and get TAM cards and so, you know,
8 it's different in each location, you know.

9 ROBERT HAAS: Okay. No other
10 questions.

11 GERALD REARDON: How long have you
12 been working in the Memorial Drive location?

13 MELISSA CHESLEY: Since July 30th.

14 GERALD REARDON: And before that you
15 were where?

16 MELISSA CHESLEY: Before that I was
17 in Burlington.

18 GERALD REARDON: Burlington.

19 MELISSA CHESLEY: And then before
20 that at Fresh Pond.

21 GERALD REARDON: Okay.

1 MICHAEL GARDNER: So, Mr. Upton, the
2 I think it's Mr. Seeker is being added to the
3 board of directors as a director of the
4 corporation; is that correct?

5 ATTORNEY ANDREW UPTON: Yes, that is
6 correct.

7 MICHAEL GARDNER: And did I
8 understand you to say there was a separate
9 action with respect to officers or he's a --

10 ATTORNEY ANDREW UPTON: No, he is
11 a -- the new director and that's it.

12 MICHAEL GARDNER: All right. Thank
13 you for clarifying that.

14 So are there members of the public who
15 would like to be heard on this matter?

16 (No Response.)

17 MICHAEL GARDNER: Seeing none, I'll
18 make the motion to approve the addition of
19 Mr. Seeker as a director of the Trader Joe's
20 East, Inc. corporation and to change the
21 manager of record for the package store to

1 Mel ani e -- i s the Chel --

2 MELANI E CHESLEY: Chesl ey.

3 MI CHAEL GARDNER: Chesl ey?

4 MELANI E CHESLEY: Yes.

5 MI CHAEL GARDNER: Subj ect to any
6 other -- havi ng al ready compl eted 21-Proof.

7 The background check sati sfactory, Mrs.
8 Lint?

9 ELIZABETH LINT: It i s.

10 MI CHAEL GARDNER: And then j ust
11 subj ect to any other admi ni strati ve
12 requi rements the Commi ssi on staff may have.

13 GERALD REARDON: Second that.

14 MI CHAEL GARDNER: Moti on havi ng been
15 made and seconded, al l those i n favor si gni fy
16 by sayi ng "Aye. "

17 ROBERT HAAS: Aye.

18 GERALD REARDON: Aye.

19 MI CHAEL GARDNER: Aye.

20 None opposed.

21 Thank you. Good Luck wi th the

1 operati on.

2 ATTORNEY ANDREW UPTON: Thank you
3 very much, Mr. Chair man. Thank you.

4 APPLI CATION: ROYAL PUNJAB ENTERPRI SES, INC.

5 ELI ZABETH LI NT: Appl i cati on Royal
6 Punj ab Enterpri ses, Incorporated, doi ng
7 busi ness as Ul ti mate Pi zza and Gri ll ,
8 Gurcharan Gi ll , manager, has appl i ed for a
9 common victual er li cense to be exerci sed at
10 251 Cambri dge Street. Sai d li cense, i f
11 granted, woul d allow food and non-alcohol i c
12 beverages to be sol d, served, and consumed on
13 sai d premi ses wi th seati ng capaci ty of 21.
14 The hours of operati on wi ll be el even a.m. to
15 el even p.m. seven days per week. Appl i cant
16 i s al so appl yi ng for an entertai nment li cense
17 to i ncl ude an audi o tape machi ne/CD pl ayi ng
18 musi c bel ow, at, or above conversati on l evel .

19 MI CHAEL GARDNER: Good eveni ng.

20agai n, I 'd ask each of you to state and spel l
21 your names for the record.

1 ATTORNEY WILLIAM GOLDBERG: Attorney
2 William Goldberg, 620 Massachusetts Avenue,
3 Cambridge, representing Royal Punjab
4 Enterprises, Inc.

5 GURCHARAN GILL: My name is
6 Gurcharan Gill and I have been couple
7 times --

8 ATTORNEY WILLIAM GOLDBERG: Just
9 tell them your address.

10 GURCHARAN GILL: And the address is
11 251 Cambridge Street, Cambridge, Mass.

12 ATTORNEY WILLIAM GOLDBERG: We have
13 the spelling if you'd like the spelling. You
14 have it?

15 We're seeking before you, Mr. Chairman,
16 a common victualer's license at the address
17 of 241 Cambridge.

18 MICHAEL GARDNER: 251 I think?

19 ATTORNEY WILLIAM GOLDBERG: Sorry.
20 The -- Mr. Gill has extensive experience in
21 the making, selling, and preparing of pizza

1 which is on the site which is the main menu
2 of this restaurant. He owns New York Pizza
3 at 421 Main Street in Malden 2005 to June
4 2012, and he was in Cambridge at Tom's House
5 of Pizza at Mount Auburn Street, Cambridge,
6 from 2002 to 2005. So he has an extensive
7 experience in preparation, sale of this menu.
8 He's now wants to come back to Cambridge and
9 show his experience and wears, and he's
10 seeking your approval for the transfer of
11 this -- for the issuance of a common
12 victualers license at this address.

13 MICHAEL GARDNER: And at the prior
14 Cambridge location were you the owner,
15 manager, what was the role in Cambridge
16 previously?

17 ATTORNEY WILLIAM GOLDBERG: At Tom's
18 House of Pizza?

19 MICHAEL GARDNER: At Tom's.

20 ATTORNEY WILLIAM GOLDBERG: What was
21 your role at Tom's House of Pizza?

1 GURCHARAN GILL: I was the owner and
2 the manager, both.

3 MICHAEL GARDNER: All right. So you
4 owned Tom's?

5 GURCHARAN GILL: Yeah.

6 MICHAEL GARDNER: That closed or
7 that was sold?

8 GURCHARAN GILL: That was sold.

9 MICHAEL GARDNER: Okay. And then
10 you opened another restaurant or operation in
11 Malden?

12 GURCHARAN GILL: In Malden, sir.

13 MICHAEL GARDNER: Okay. And are you
14 maintaining that or that's been sold now?

15 GURCHARAN GILL: No, that's been
16 sold. That's been sold in June this year.

17 MICHAEL GARDNER: And if I could,
18 how many seats in those two other locations?

19 GURCHARAN GILL: In Malden was 26.
20 And in Tom's Pizza I think was 21.

21 MICHAEL GARDNER: Okay. So about

1 approxim ately the same size as --

2 GURCHARAN GI LL: Yeah, same size.

3 MI CHAEL GARDNER: -- as you' re
4 proposi ng here?

5 GURCHARAN GI LL: Yes, si r.

6 MI CHAEL GARDNER: Any change i n
7 emphasi s or operati on here compared to the
8 other two that you owned and operated?

9 GURCHARAN GI LL: No, the same.

10 MI CHAEL GARDNER: And what i f any
11 busi ness was i n thi s locati on previ ously i f
12 ei ther of you know?

13 ATTORNEY WI LLI AM GOLDBERG: There
14 has been a conti nui ty of the same type of
15 busi ness i n thi s locati on.

16 MI CHAEL GARDNER: So previ ously a
17 pi zza and gri ll?

18 ATTORNEY WI LLI AM GOLDBERG: Pi zza
19 and gri ll , and previ ous to that i t was pi zza
20 and gri ll .

21 MI CHAEL GARDNER: Okay.

1 GERALD REARDON: Do you know what
2 the present location is?

3 ATTORNEY WILLIAM GOLDBERG: I'm
4 sorry?

5 GERALD REARDON: Do you know the
6 present, the name of the present location
7 that's there?

8 ATTORNEY WILLIAM GOLDBERG: Yes, 251
9 Cambridge Street.

10 GURCHARAN GILL: Antoni o' s Pi zza.

11 GERALD REARDON: Antoni o' s Pi zza?
12 Thank you.

13 MICHAEL GARDNER: And have they
14 closed down?

15 ATTORNEY WILLIAM GOLDBERG: No,
16 they're still operating.

17 MICHAEL GARDNER: They're still in
18 operation?

19 ATTORNEY WILLIAM GOLDBERG: Yes.

20 MICHAEL GARDNER: So are you
21 essentially buying that business and going to

1 take it over?

2 GURCHARAN GILL: Yes, please.

3 MICHAEL GARDNER: And your hours of
4 operation currently, are they the same as are
5 proposed here?

6 ATTORNEY WILLIAM GOLDBERG: El even
7 to el even. El even a.m. to el even p.m.

8 MICHAEL GARDNER: Any issues with
9 that location that you're aware of, Ms. Lint?

10 ELIZABETH LINT: That was the one
11 that had the issue with unpaid parking
12 tickets and that was ultimately paid off and
13 then it was sold to someone else and then
14 this is the third. The issue that we do have
15 holds for Mr. Mule.

16 MICHAEL GARDNER: Any other
17 questions?

18 ROBERT HAAS: Did you serve alcohol
19 in the last two locations that you owned?

20 GURCHARAN GILL: No sir.

21 ROBERT HAAS: Do you tend to sell

1 alcohol here?

2 GURCHARAN GILL: Not yet. I don't
3 know about the future, but right now, no.

4 ROBERT HAAS: You're aware of some
5 of the logistical issues that were associated
6 with the prior owner, right, as far as
7 parking, limited parking, and not being able
8 to park legally and things like that? How
9 are you going to overcome those issues?

10 GURCHARAN GILL: What do you say,
11 sir?

12 ROBERT HAAS: So the prior owner had
13 a series of issues around parking, and that's
14 part of why he had a problem.

15 GURCHARAN GILL: Oh, okay.

16 ROBERT HAAS: I'm just trying to
17 make sure that you understood what those
18 issues were and how you're going to deal with
19 those issues so you don't find yourself in
20 the same situation.

21 GURCHARAN GILL: No, sir. No, no,

1 no.

2 ROBERT HAAS: So you need to tell me
3 a little bit.

4 GURCHARAN GILL: He has the parking
5 ticket for double parking.

6 ROBERT HAAS: Well, it is more for
7 his delivery truck. He couldn't find a legal
8 parking space for his delivery truck so he
9 was parking illegally. And then when he was
10 making deliveries he was parking illegally
11 and he acquired a lot of parking tickets. So
12 what are you going to be doing to make sure
13 -- are you going to be making deliveries?

14 GURCHARAN GILL: Yes, sir.

15 ROBERT HAAS: So what are you going
16 to do with your delivery truck?

17 GURCHARAN GILL: We're not going to
18 double park. We're going to try to find the
19 park and put a -- use on the meter. Over
20 here I put it on the meter and on 49 Mount
21 Auburn Street. And we have not any parking

1 tickets over there. So I will try to -- we
2 will try to put on the meter.

3 ROBERT HAAS: That's only for a
4 short period of time.

5 ATTORNEY WILLIAM GOLDBERG: I think
6 what he's saying is number one, when he was
7 in Mount Auburn Street he had no problem with
8 regard to parking and over parking even if he
9 was at a meter. And he didn't have any
10 traffic considerations. And he was aware of
11 the fact that, from the prior owner, that he
12 had some tickets. I was aware of it as well.
13 And he would attempt to avoid that by seeking
14 some space that may be more available in the
15 evening when there's not that much traffic
16 during the day -- as there would be during
17 the day.

18 MICHAEL GARDNER: You mean
19 deliveries at night or in the evening?

20 ATTORNEY WILLIAM GOLDBERG: Oh, he
21 would have delivery at night, but he will try

1 to avoid deliveries during the day by jamming
2 up the parking, the meters and double
3 parking. And at night he's seeking to avoid
4 any further problems by trying to lease some
5 of the space in the back of the building
6 which tenancy is closed at night.

7 ROBERT HAAS: No other questions.

8 MICHAEL GARDNER: Anything?

9 GERALD REARDON: No questions.

10 MICHAEL GARDNER: So, Mr. Goldberg,
11 we have a communication signed by Michael
12 Muehe, the Executive Director of the
13 Commission on Persons For Disabilities and
14 also the ADA Coordinator for the city. And
15 have you been apprised of this letter? Have
16 you seen it?

17 ATTORNEY WILLIAM GOLDBERG: No, I
18 have not been apprised.

19 MICHAEL GARDNER: Well, briefly,
20 Mr. Muehe and staff from the Commission,
21 understanding that this matter was before us

1 for hearing this evening, did a site visit to
2 the location and I'll -- for your purposes I
3 think I'll just read it into the record and
4 then we'll -- obviously make a copy of it
5 available to you.

6 And Mr. Muehe says the current
7 condition is that the entrance includes a
8 six-inch step. So it's not accessible to
9 people with mobility impairments. And
10 Mr. Muehe makes a recommended, what he calls
11 readily achievable accommodation. And I'll
12 just read what he says: (Reading) Given that
13 a permanent ramp may not be readily
14 achievable at this time, the recommended
15 solution is a non-structural alteration.
16 Procure a portable ramp for the entrance that
17 can be offered to customers with disabilities
18 upon request, provide appropriate signage
19 notifying customers with disabilities of the
20 availability of a portable ramp, provide a
21 buzzer or bell at front entrance that will

1 effectively notify employees of a customer's
2 need for a ramp.

3 So as I understand it, Mr. Muehe has
4 identified that there's a six-inch lip or
5 barrier at the entrance which would prevent a
6 mobility challenged individual perhaps in a
7 wheelchair to actually enter, and he's
8 suggesting that a reasonably achievable
9 accommodation would be to have a portable
10 ramp that could be placed so someone could
11 achieve the six-inch incline.

12 ATTORNEY WILLIAM GOLDBERG: As I
13 interpret that, you have to No. 1, install a
14 bell. And then if the customer is
15 handicapped, then he would advise the owner
16 of the restaurant to bring out a portable
17 ramp to allow this disabled customer then to
18 enter the restaurant. And once that customer
19 leaves the restaurant, the owner is to pick
20 up the portable ramp and put it back inside?

21 MICHAEL GARDNER: Well, it's

1 portable so there's no requirement that it be
2 permanently installed. I think how
3 frequently it's moved is a matter of apparent
4 safety and operational procedures. I think
5 that the essence of what you've said is
6 correct. I think he's -- Mr. Muehe is also
7 suggesting that there be appropriate signage
8 to alert anyone who would have a mobility
9 challenge of the availability of such a ramp.

10 ATTORNEY WILLIAM GOLDBERG: Is his
11 authority based on the overall recognition of
12 disabled persons or is it based on the number
13 of people that the city capacity of the whole
14 restaurant?

15 MICHAEL GARDNER: I cannot tell you
16 what that the American for Disabilities Act
17 requirements are with respect to whether or
18 not as a federal matter a business of this
19 size is technically required to meet ADA
20 requirements. I think that Mr. Muehe has
21 stated here that he believes the ADA does

1 apply. He is -- the dual role of the
2 Executive Director of the Commission For
3 Persons With Disabilities for the city, which
4 has -- the city having its own general policy
5 of encouraging accessibility, and he is the
6 ADA Coordinator for the city. So he has
7 responsibility both with respect to city
8 facilities and private facilities within the
9 city in terms of promoting accessibility.

10 GERALD REARDON: Do you have a copy
11 of the letter? Could you share it with
12 Mr. Goldberg?

13 ELIZABETH LINT: Can I send one? I
14 just have the one.

15 ATTORNEY WILLIAM GOLDBERG: That's
16 fine. I can pick it up tomorrow.

17 And the person in charge, what's his
18 name again, please?

19 MICHAEL GARDNER: His name is
20 Michael Muehe. Spelled M-i-c-h-a-e-l
21 M-u-e-h-e. Mr. Muehe's a long time Executive

1 Director of the Commission.

2 I think, you know, a question that we
3 have can we act on this evening? Do you feel
4 comfortable on making a representation? If
5 you need to consult with your client as to
6 whether or not a condition like this is
7 perceived as acceptable and doable, or do we
8 have to defer? The Commission I suppose is
9 always free to act, notwithstanding the
10 recommendations of the persons with
11 disabilities. I think in this sense it, it
12 seems like a relatively modest, and as he
13 describes it, readily achievable
14 accommodation.

15 ATTORNEY WILLIAM GOLDBERG: I
16 understand. I don't know that I'll ask you
17 to make a decision tonight. I want to check
18 whether Mr. Muehe is acting as an individual
19 without the understanding that this may not
20 be subject to Americans with Disabilities
21 Act. And if it's not, then will the Board,

1 its party, take his recommendation and
2 despite the fact that it's not covered
3 because of the seating capacity or the
4 disabilities, because the seating capacity --
5 I just want to understand the Commission's
6 role in the event that a decision by
7 Mr. Muehe is not in accord with the Americans
8 with Disabilities Act. Is the city now going
9 to assume that because Mr. Muehe said it and
10 the person's disabled, that it's something he
11 has to do before he gets a victualer's
12 license? That's, you know, I'll have to
13 defer to -- ask you to defer the decision
14 because he was not aware of the fact of what
15 his recommendation is, I'm not, you know, I'm
16 not really prepared to accept his decision or
17 yours at this point in time.

18 MICHAEL GARDNER: Well, I think
19 that's fair and we can't ask for anything
20 other than that.

21 Our decision hearing is scheduled for

1 November 1st, and I believe did we agree to
2 move that to two p.m.?

3 ELIZABETH LINT: Yes.

4 MICHAEL GARDNER: We typically have
5 the decision hearings on ten a.m. on
6 Thursdays. The last Thursday of the month.
7 In this case it's scheduled for November 1st
8 and it is scheduled for two p.m.

9 ATTORNEY WILLIAM GOLDBERG: Thank
10 you.

11 MICHAEL GARDNER: You'll have a
12 chance to both see what Mr. Muehe has written
13 and to do your own research.

14 ATTORNEY WILLIAM GOLDBERG: Okay,
15 fine. Thank you.

16 MICHAEL GARDNER: For sure. Thank
17 you.

18 So, let me --

19 ROBERT HAAS: Do you want public
20 comments just in case?

21 MICHAEL GARDNER: Yes. We're not

1 quite done. We do want to give the
2 opportunity for public comment.

3 Are there any members of the public who
4 would like to be heard on this matter?

5 Okay, so why don't you just come
6 forward, state and spell your names for the
7 record.

8 GEORGE THOMAS: George Thomas,
9 G-e-o-r-g-e T-h-o-m-a-s.

10 Candace Meddal o: Candace Meddal o,
11 C-a-n-d-a-c-e M-e-d-d-a-l -o.

12 GEORGE THOMAS: We run the building
13 at 265-271 Cambridge Street. We're not
14 opposed to the license and the pizza and the
15 seating, but we are opposed to the
16 entertainment license, because we did an
17 entertainment license and you guys can look
18 back in your records, Mr. Chairman, eight,
19 nine years ago we had a big problem there
20 with the loud music all night long. It was
21 like a bar and a restaurant combined. And we

1 were renting to the bar. We wound up not
2 renting to them anymore which dissolved the
3 business, and it went into the pizza business
4 and we wound up closing in the building and
5 putting in a firewall and separating them
6 from us.

7 CANDACE MEDDALO: The problem is the
8 two buildings touch each other and our
9 tenants already said if there's going to be
10 entertainment there, because we have people
11 that work as teachers, EMTs, students,
12 post-graduate students, professional people,
13 and they don't want to stay if there's going
14 to be noise from eleven in the morning and
15 eleven at night. They want quiet time and go
16 home and eat and do their homework. The EMT
17 says he doesn't know his hours. He rests all
18 times of days, and he doesn't want music
19 above speaking levels. The buildings are so
20 close you can hear everything as it is. So
21 we've had problems with our tenants already

1 complaining because we approached them once
2 they got the letter. Do you have a problem?
3 All nine of them had a problem with it. I
4 run my own business out of there. I have a
5 problem with it hearing music above speaking
6 level for 12 hours a day. Parking is a pain
7 in the neck anyway.

8 GEORGE THOMAS: The other thing is
9 their door for their kitchen opens up into
10 our backyard, and 90 percent of the time when
11 they're open, their door is open also to
12 get -- because it's very hot in the kitchen,
13 and we don't mind that. We even allowed them
14 to put a screen on the outside so they could
15 get fresh air in the kitchen. But with the
16 music -- the kitchen noise we put up with.
17 Not a problem, clanging dishes, etcetera, not
18 a big deal. But with the music, I got a
19 problem with that. Because I have a tenant
20 that's no more than 20 -- 15, 20 feet from
21 their back door. I have pictures here if you

1 want to see them.

2 MICHAEL GARDNER: Well, if you have
3 pictures, you can give them to Ms. Lint and
4 we'll take a look at them.

5 GEORGE THOMAS: Okay.

6 MICHAEL GARDNER: I guess the
7 question I have to you, Ms. Lint, if the
8 entertainment license is for tape or CD
9 machines playing music below -- at or above
10 conversation level, do we often have them
11 below or at? Is that a different --

12 ELIZABETH LINT: That's just our
13 category. So, I think it would be
14 appropriate to ask the applicant what their
15 intention was, because on our application you
16 just have to check one. It doesn't specify
17 what level it's at.

18 MICHAEL GARDNER: So we don't have a
19 specification of at or below?

20 ELIZABETH LINT: No.

21 MICHAEL GARDNER: It's always at?

1 ELIZABETH LINT: That's what it says
2 on the application.

3 MICHAEL GARDNER: Below, at or
4 above?

5 ELIZABETH LINT: Yes. Below, at or
6 above.

7 MICHAEL GARDNER: So, Mr. Goldberg,
8 through you you've heard the concerns
9 expressed by the neighbors, what
10 representations can you give us, sir?

11 ATTORNEY WILLIAM GOLDBERG: The
12 intent was to provide entertainment below
13 conversation level just to have a rhythm of
14 music to accommodate the employees and the
15 customers that sit there. I hear what
16 they're saying. I note that most of the
17 noise that was their complaint was when there
18 was a bar and a restaurant. I don't know
19 that there was any music in the prior owner
20 that could disturb them.

21 CANDACE MEDDALO: It was until eight

1 o'clock at night and they tried to go to
2 eleven or twelve, and we were already having
3 the problems with the eight o'clock at night
4 and we opposed it and they didn't give it to
5 them.

6 MICHAEL GARDNER: For clarification,
7 are you talking about when it was not a bar
8 and only got a --

9 GEORGE THOMAS: We've had two pizza
10 places since the bar was there. And this guy
11 will be the third one since we've been there.
12 And the other pizza places didn't have any
13 kind of entertainment or anything like that.
14 Just a regular you go in and eat pizza and
15 that's it.

16 CANDACE MEDDALO: One was a
17 restaurant. The other side served pizza.

18 ATTORNEY WILLIAM GOLDBERG: Excuse
19 me, Mr. Chairman, I appreciate the neighbor's
20 concern. Because of the closeness of the
21 buildings, he'll withdraw his application for

1 entertainment license.

2 CANDACE MEDDALO: So just pizza and
3 stuff? That's fine.

4 GEORGE THOMAS: That's fine. We're
5 not opposed to that at all.

6 ATTORNEY WILLIAM GOLDBERG: We'll
7 withdraw it.

8 CANDACE MEDDALO: We're tenants
9 also.

10 ATTORNEY WILLIAM GOLDBERG: It was
11 available and we checked it off.

12 MICHAEL GARDNER: Thank you very
13 much. I appreciate your responsiveness.

14 Are there any other members of the
15 public who would like to be heard?

16 (No Response.)

17 MICHAEL GARDNER: Seeing none, I
18 make the motion that we defer action on this
19 application until our decision hearing two
20 p.m. on November the 1st, 2012, to give the
21 applicant the opportunity to study, evaluate

1 the concerns expressed by the Executive
2 Director of the Commission For Persons With
3 Disabilities and encourage written
4 communication back to the Commission by the
5 applicant with respect to the recommendations
6 prior to our decision hearing.

7 GERALD REARDON: Second.

8 MICHAEL GARDNER: Motion having been
9 made and seconded, all those signify by
10 saying "Aye."

11 ROBERT HAAS: Aye.

12 GERALD REARDON: Aye.

13 MICHAEL GARDNER: Aye.

14 None opposed.

15 And that's what we'll do. We
16 understand, and I don't think it takes any
17 action on our part that you've in fact
18 withdrawn the request for the entertainment
19 license so that won't be before us again.

20 Thank you.

21 ATTORNEY WILLIAM GOLDBERG: Thank

1 you.

2 APPLI CATION: SWEET LI LY CORPORATI ON

3 ELI ZABETH LI NT: Appl i cati on Sweet
4 Li l y Corporati on, Veeraded Kri darati korn,
5 manager, holder of an al l al coholic beverages
6 as a restaurant l i cense at 1172-1178
7 Cambri dge Street has appl i ed to transfer sai d
8 l i cense to TON Venture Group, LLC, doi ng
9 busi ness as Hi t Wi cket, Nada Heredi a,
10 manager. The hours of operati on woul d be
11 10: 30 a.m. to 12: 00 a.m. , seven days per week
12 wi th a seati ng capaci ty of 95. Appl i cant i s
13 al so appl yi ng to the pl edge the l i cense to
14 Cambri dge Savi ngs Bank.

15 MI CHAEL GARDNER: I f you woul d be so
16 ki nd as to state and spell your names for the
17 record and i denti fy your rol e, pl ease.

18 ATTORNEY TRI SH FARNSWORTH: Good
19 eveni ng. Attorney Tri sh Farnsworth,
20 F-a-r-n-s-w-o-r-t-h wi th the Lawson and
21 Wei tzen, L-a-w-s-o-n. Wei tzen i s

1 W-e-i-t-z-e-n. I represent the proposed
2 licensee.

3 SHUBAHA RAMASHKUR: I'm Shubaha
4 Ramashkur, S-h-u-b-a-h-a R-a-m-a-s-h-k-u-r.
5 I'm the manager of the TON Venture Group,
6 LLC.

7 NADA HEREDIA: Nada Heredia, N-a-d-a
8 H-e-r-e-d-i-a, manager.

9 MICHAEL GARDNER: So tell us about
10 the plans, please.

11 ATTORNEY TRISH FARNSWORTH: Yes,
12 Mr. Chairman. This is a new concept that
13 Nada and Shubaha have come up with their
14 husbands, and it's -- they're going to take
15 over an existing restaurant in Spice and Rice
16 Restaurant.

17 MICHAEL GARDNER: Spice and Rice?

18 ATTORNEY TRISH FARNSWORTH: Spice
19 and Rice Restaurant on Cambridge Street,
20 where there is an existing all alcohol
21 license.

1 So this concept is the sport cricket,
2 if you're familiar with that? The -- it's
3 going to introduce people that don't know
4 about cricket to cricket, and people that do
5 know about cricket, you know, they'll show it
6 and have some other, you know, items in the
7 restaurant. And then also more importantly,
8 the food is going to be from places where
9 cricket is popular. So England, Pakistan,
10 India, all of those places. And we have a
11 couple of menus here.

12 ROBERT HAAS: Are you saying
13 cricket?

14 ATTORNEY TRISH FARNSWORTH: Like the
15 sport, cricket.

16 ROBERT HAAS: Oh, okay. I thought
17 you were talking about the insect.

18 ATTORNEY TRISH FARNSWORTH: Not
19 cricket the insect.

20 ROBERT HAAS: You had me concerned
21 there.

1 MICHAEL GARDNER: Well, let me say
2 for the record that I have actually been
3 interested in learning about cricket for many
4 years. I have friends who are fans, and I
5 have decided that it is beyond my
6 intellectual capacity to understand the game
7 so. . . .

8 SHUBAHA RAMASHKUR: So if you know
9 baseball, cricket would be pretty easy to
10 understand. It's pretty similar.

11 ATTORNEY TRISH FARNSWORTH: So
12 Shubaha is, you know, a lawyer and she's from
13 India. And her husband here, they live in
14 Wakefield.

15 SHUBAHA RAMASHKUR: Wilmington.

16 ATTORNEY TRISH FARNSWORTH:
17 Wilmington.

18 And Nada is a teacher, Boston school,
19 you know, trained teacher. Lives with her
20 husband and child in Canton, and the two
21 families have known each other for a while,

1 nine years, and they decided to, you know,
2 pull together their resources and try to open
3 this up. So they also have some investors,
4 family, two members, brother-in-laws in
5 India. So they're putting in some money.
6 These folks have, you know, put in their
7 savings. And there's also going to be a loan
8 from Cambridge Savings Bank which of course
9 is a pledge that we are seeking to, you know,
10 for approval of the license for that to
11 secure.

12 MICHAEL GARDNER: This is a full
13 value license?

14 ELIZABETH LINT: That's correct.

15 MICHAEL GARDNER: Is that correct?

16 And how long has the Spice and Rice
17 been in operation?

18 ELIZABETH LINT: Before I was here.

19 GERALD REARDON: (Inaudible).

20 ELIZABETH LINT: No, longer.

21 Longer, over eight years.

1 MICHAEL GARDNER: And if you could
2 describe any experience, either or both of
3 you have had in the owning, running, managing
4 a restaurant, and also being a manager of
5 record for Location which serves alcohol.

6 ATTORNEY TRISH FARNSWORTH: Okay.
7 They don't -- they do not have experience
8 running a restaurant. This is a new, a new
9 venture for them. But they do have, you
10 know, experience with cooking. They have
11 taken ServSafe training or will take ServSafe
12 training. And Nada is actually on the
13 application to be the manager on the license.
14 But the goal here is actually to come back
15 once they hire an experienced, you know,
16 someone, a bar manager type person, someone
17 like that, even though these folks are going
18 to be working there, they will have someone
19 come back, we'll submit an application for
20 your approval obviously. But what's going to
21 happen is, you know, we're putting in this

1 appli cation now. As you know, it takes a few
2 months. And in that few months, you know, we
3 just want to get things going. Then we would
4 close with the Spice and Rice folks.

5 These folks have hired architects.
6 They have lots of professionals helping them
7 with this. You know, restaurant concept
8 people. Michael Staub here in Cambridge.
9 And so the plan is then they're gonna do a
10 pretty significant construction, you know,
11 build out to, you know, make it their
12 concept, about \$75,000.

13 SHUBAHA RAMASHKUR: Yes.

14 ATTORNEY TRISH FARNSWORTH: So they
15 think that with permitting and all of that is
16 going to take a few months. So this place is
17 not going to be open until I think March is
18 the target?

19 SHUBAHA RAMASHKUR: Yes, late
20 February, early March.

21 ATTORNEY TRISH FARNSWORTH: So I

1 know you're probably thinking why don't you
2 have, you know, an experienced manager now?
3 Well, you can't hire someone now if, you
4 know, if they're not open and ready to pay
5 someone now. So that's, that's the plan how
6 we're trying to line things up and just get
7 everything just right.

8 MICHAEL GARDNER: So, I see that the
9 application proposes hours of operation of
10 10:30 a.m. to 12:00 a.m. or midnight, seven
11 days a week with a seating capacity of 95.
12 Is 95 the current capacity if you know?

13 ELIZABETH LINT: 96.

14 SHUBAHA RAMASHKUR: Yes.

15 MICHAEL GARDNER: 96 is the current
16 capacity?

17 ATTORNEY TRISH FARNSWORTH: And I
18 may be wrong but they may be open later.

19 ELIZABETH LINT: They are open
20 later.

21 MICHAEL GARDNER: But you're

1 proposi ng an appli cation for twel ve a.m.
2 cl ose?

3 ATTORNEY TRI SH FARNSWORTH: Twel ve
4 a.m. cl ose, yes. Thi s i s real ly --

5 MI CHAEL GARDNER: Okay.

6 ATTORNEY TRI SH FARNSWORTH: I' m
7 sorry, I di dn' t mean to i nterrupt you.

8 MI CHAEL GARDNER: Go ahead.

9 ATTORNEY TRI SH FARNSWORTH: But i t' s
10 real ly a -- i t' s goi ng to be a fami ly run
11 restaurant. Focus on food, and you know,
12 thi s cri cket sport. They wi ll have TV
13 showi ng the cri cket, you know, and then other
14 sports. Obvi ousl y i f the Brui ns were i n the
15 Stanl ey Cup, I suppose they' d have to have
16 that on there otherwi se they woul d be crazy.
17 But, you know, i t' s not, i t' s not a sports
18 bar i n that sense. I t' s not a bar. I t' s not
19 a club. I t' s real ly, you know, goi ng to be a
20 wel l run, ni ce concept. I thi nk i t woul d be
21 great addi ti on to the ci ty here.

1 MICHAEL GARDNER: So does this
2 require an entertainment license as well,
3 Ms. Lint, given how they've described what
4 they intend?

5 ELIZABETH LINT: It certainly would.

6 ATTORNEY TRISH FARNSWORTH: Yes, it
7 will. And they will come back. And I'm
8 suggesting what's going to happen is they'll
9 come back with the manager application and
10 the application for the entertainment
11 license. Because once they have their plans
12 done with the architect, they want to make
13 sure it's clear, you know, there's one TV or
14 two TV's, and it would just be a TV and
15 background music. There's no live
16 entertainment or nothing like that, no
17 amplification or anything like that along
18 those lines. They want to do it right and do
19 it, again, the most efficient way.

20 MICHAEL GARDNER: Let me ask
21 Ms. Lint for some guidance here in terms of

1 whether or not the Commission has ever dealt
2 with contingent approvals I suppose to --
3 this would involve an approval of the
4 transfer of the license I take it?

5 ELIZABETH LINT: Correct.

6 MICHAEL GARDNER: With new operating
7 hours. And can we do something like an
8 initial or a provisional approval of the
9 transfer but somehow make final
10 implementation of the transfer subject to the
11 hiring of an experienced manager? I'm not
12 sure I can --

13 ELIZABETH LINT: We wouldn't be able
14 to forward that to the ABCC. So that would
15 hold up anything that they wanted to do.

16 ATTORNEY TRISH FARNSWORTH: They
17 need a manager on the license, and Nada
18 will -- I mean she is taking ServSafe and she
19 is going to take the 21, even though she's
20 not going to be the licensed manager, and the
21 licensed manager will take the 21, but you

1 know, for purposes of transferring, you know,
2 with the Spice and Rice, we really need to
3 close with them. And we will not be open. I
4 mean, we can represent -- I'd have to ask
5 that we would represent that we wouldn't open
6 without coming back.

7 SHUBAHA RAMASHKUR: Right.

8 MICHAEL GARDNER: Without?

9 ATTORNEY TRISH FARNSWORTH: Without
10 coming back before you with the manager. I
11 guess we can do that.

12 SHUBAHA RAMASHKUR: Yes, we can do
13 that.

14 MICHAEL GARDNER: And is it your
15 intent to try to hire somebody who actually
16 has experience in both running a restaurant
17 and also managing a liquor license?

18 SHUBAHA RAMASHKUR: Yes.

19 NADIA HEREDIA: Most with the bar
20 end of it.

21 SHUBAHA RAMASHKUR: The bar end,

1 yes.

2 MICHAEL GARDNER: So from the
3 personal experience you have, you feel
4 comfortable in being able to deal with the
5 multiple issues and challenges of running a
6 restaurant which have a lot to do with both
7 ordering food and controlling costs?

8 NADIA HEREDIA: Yes.

9 SHUBAHA RAMASHKUR: Yes.

10 MICHAEL GARDNER: Managing staff as
11 well as cooking.

12 SHUBAHA RAMASHKUR: Yes.

13 MICHAEL GARDNER: Other questions?

14 ROBERT HAAS: So, what will your
15 roles be in the restaurant once you open?

16 SHUBAHA RAMASHKUR: I would be the
17 manager. I would be on the premises and I
18 would take care of the overall running of the
19 operation of the restaurant. So we would
20 have expert to -- we will have manager. We
21 have a chef. We will have everybody else

1 doing the things, but I will be there to
2 oversee the whole thing and I will be on
3 premi ses.

4 ROBERT HAAS: Say that again?

5 SHUBAHA RAMASHKUR: I will be on the
6 premi ses.

7 ROBERT HAAS: Okay.

8 NADI A HEREDI A: And then I would
9 also be on the premi ses, but not commi tted to
10 a certai n number of hours. You know, if we
11 have someone who is there for the 40 hours as
12 bar manager, but certai nly sort of in a
13 sporti ve role to Shubaha. And in terms of
14 worki ng together wi th her as we, as thi ngs
15 move forward.

16 ROBERT HAAS: Is there a bar in the
17 restaurant now?

18 SHUBAHA RAMASHKUR: Yes, there is.

19 ROBERT HAAS: Are you changi ng the
20 seati ng capaci ty of the bar?

21 SHUBAHA RAMASHKUR: No, we are not.

1 ROBERT HAAS: So you are going to
2 keep it the way it is now?

3 SHUBAHA RAMASHKUR: Yes, it is.

4 ROBERT HAAS: I assume you're going
5 to change the configuration?

6 SHUBAHA RAMASHKUR: That's right,
7 yes. So we're not going to change it.

8 ROBERT HAAS: So no additional
9 seating at the bar?

10 SHUBAHA RAMASHKUR: No.

11 ATTORNEY TRISH FARNSWORTH: I
12 believe there is a sushi bar there now.

13 SHUBAHA RAMASHKUR: There is a sushi
14 bar, but we are not going to have a sushi
15 bar.

16 ATTORNEY TRISH FARNSWORTH: A
17 separate sushi bar from the bar, service bar.

18 ROBERT HAAS: From the alcohol bar?

19 ATTORNEY TRISH FARNSWORTH: Right,
20 correct.

21 ROBERT HAAS: But you're not

1 changing the capacity of the alcohol bar at
2 all?

3 SHUBAHA RAMASHKUR: No, we're not
4 changing.

5 MICHAEL GARDNER: How many seats is
6 it now, if you know?

7 SHUBAHA RAMASHKUR: I'm not sure. I
8 think about 15. It's a small one.

9 GERALD REARDON: We were talking
10 about renovations, what kind of renovation?
11 Are we talking about the kitchen area, the
12 general --

13 SHUBAHA RAMASHKUR: No, just the
14 seating area, and just the general outlook to
15 make it more presentable and to give more,
16 you know, the project more ideas about the
17 game. And we have some memorabilia and some
18 posters and things which would familiarize
19 the audience with the game cricket. So just
20 those kinds of things. Nothing structural,
21 nothing in the kitchen.

1 GERALD REARDON: Spice and Rice has
2 Fryolaters on the premises now? Deep fryer?

3 SHUBAHA RAMASHKUR: Yes.

4 GERALD REARDON: Are you going to
5 use those in the future?

6 SHUBAHA RAMASHKUR: Yes.

7 GERALD REARDON: Okay. You need to
8 make sure they're up to date on the kitchen
9 with the new laws that came out two years ago
10 and be in compliance with all that. So you
11 still need a full inspection prior to
12 opening. You're going to get permits to do
13 this work and so forth. And what was it
14 again, you're looking spring potentially?

15 SHUBAHA RAMASHKUR: Yes, March.

16 GERALD REARDON: Okay.

17 MICHAEL GARDNER: Are there any
18 members of the public who would like to be
19 heard on this matter?

20 (No Response.)

21 MICHAEL GARDNER: We did get an

1 e-mail today from --

2 ELIZABETH LINT: We did.

3 MICHAEL GARDNER: -- from a
4 neighbor. I don't know if that has been
5 shared with you.

6 ATTORNEY TRISH FARNSWORTH: No.

7 SHUBAHA RAMASHKUR: No.

8 ELIZABETH LINT: This came in this
9 afternoon. They -- the neighbors are
10 concerned that they have not been approached
11 by TON Venture Group as to their intentions
12 for the space or their need to extend the
13 operating hours. Behavior is not consistent
14 to that of the other restaurateurs that have
15 entered Inman Square, and are looking to be
16 good neighbors to the residents that live
17 there. They're mostly concerned with the
18 operating hours. They've -- it's their
19 belief that they would be opening later than
20 the other restaurants in the immediate area,
21 including its predecessor Spice and Rice. So

1 they indicated that Spice and Rice, Tupelo,
2 and Casa Portugal are opened to ten p.m. on
3 weekends and eleven p.m. weekends.

4 I checked the Spice and Rice file, and
5 they have a one a.m. on the weekends. Clover
6 is open until nine everyday. Midwest Grill
7 is open until eleven everyday. All Star
8 Pizza Bar is open until nine weekdays and ten
9 weekends.

10 They have questions regarding the
11 expected noise level, entertainment usage,
12 parking impact on the residential streets,
13 outdoor smoking areas, and trash maintenance.
14 And they're asking that you delay making the
15 decision on this so that they can meet with
16 the proposed operators and have their
17 questions answered.

18 MICHAEL GARDNER: And we'll
19 certainly give you access to the e-mail for
20 that.

21 ATTORNEY TRISH FARNSWORTH: I

1 appreciate that.

2 MICHAEL GARDNER: So I take it it's
3 possible that Sweet Lily's, although they
4 have a one o'clock license, aren't operating
5 to the full level of their license even
6 though they're supposed to?

7 ELIZABETH LINT: It's possible.

8 MICHAEL GARDNER: Do you happen to
9 know what time Sweet Lily's closes now?

10 SHUBAHA RAMASHKUR: No. No.

11 MICHAEL GARDNER: Okay.

12 And do you regard midnight as necessary
13 to your business plan as opposed to eleven?

14 SHUBAHA RAMASHKUR: So far that's
15 what we're looking at. But if it's necessary
16 to close earlier, we can do that.

17 ATTORNEY TRISH FARNSWORTH: I mean,
18 they would be happy to meet with these folks,
19 you know --

20 SHUBAHA RAMASHKUR: We can meet with
21 them at the earliest --

1 ATTORNEY TRISH FARNSWORTH: -- to
2 speak about any concerns. We ask you not
3 defer any action. But, you know, they would
4 be happy to meet with them. And they're not
5 going to be open right away or anything like
6 that. So we could work on things. I mean,
7 they really want it work. They've put a lot
8 of private, you know, personal funds in this.

9 SHUBAHA RAMASHKUR: Savings, yeah.
10 So we would be very happy to meet them and
11 address their concerns and see how things
12 will go.

13 MICHAEL GARDNER: So in terms of
14 your business plan, if we delayed a decision
15 on this until November the 1st, that's
16 something you could live with? Or not?

17 ATTORNEY TRISH FARNSWORTH: Well,
18 that's when you vote anyway. So --

19 MICHAEL GARDNER: Yes. Well, you
20 know, we sometimes vote on things the night
21 we hear them.

1 ATTORNEY TRISH FARNSWORTH: Right.
2 Tonight but then you vote then again -- if
3 you voted tonight, it wouldn't go to the ABCC
4 or am I wrong about that? We still would
5 have to wait until November 1st?

6 MICHAEL GARDNER: No, it would go
7 right after we took the final vote.

8 I think if you can manage the delay in
9 terms of your own plan, it might behoove you
10 to consider the concerns and meet with the
11 residents. I'm not sure -- were abutter
12 notices done?

13 ATTORNEY TRISH FARNSWORTH: Yes,
14 they were. And I actually have them.

15 MICHAEL GARDNER: These people may
16 not be abutters, but I think their claim was
17 they only heard about it on-line.

18 ATTORNEY TRISH FARNSWORTH: No,
19 there were abutter notices, and it was posted
20 in the paper as well, too. Is this an
21 organized group, Ms. Lint, or is it --

1 ELIZABETH LINT: Not really.

2 MICHAEL GARDNER: Just local
3 residents who said they couldn't make it.
4 They were unavailable to come this evening.

5 Commi ssi oners have had access to the
6 e-mai l?

7 ROBERT HAAS: I di d.

8 GERALD REARDON: Yes.

9 MICHAEL GARDNER: So your pleasure?
10 I guess ei ther we acted on i t tonight or we
11 del ay.

12 GERALD REARDON: I guess my thought
13 was I was under the assumpti on that Spice and
14 Rice had a one a.m. and that i s the case?

15 ELIZABETH LINT: Yes.

16 GERALD REARDON: So I ori gi nal l y
17 thought thi s was an hour l ess than what was
18 presentl y there.

19 ELIZABETH LINT: That' s correct.

20 ROBERT HAAS: So who' s advi si ng on
21 your busi ness pl an?

1 SHUBAHA RAMASHKUR: On the business
2 plan, yes, we have a Real Food Consultants.

3 ROBERT HAAS: Oh, so you have
4 somebody?

5 ATTORNEY TRISH FARNSWORTH: Oh,
6 yeah, Real Food Consultant. Michael Staub.

7 ROBERT HAAS: I just wanted to make
8 sure you weren't going on this venture on
9 your own with no experience.

10 SHUBAHA RAMASHKUR: No. We have
11 been going on this since November.

12 ATTORNEY TRISH FARNSWORTH: A
13 business plan was submitted. I don't know if
14 you've had an opportunity to read that.

15 ROBERT HAAS: No, I just wanted to
16 make sure you were consulting with somebody
17 since this is your first entree into the
18 restaurant business.

19 SHUBAHA RAMASHKUR: No, obviously we
20 wouldn't do too --

21 ROBERT HAAS: And you weren't just

1 trying to do this on your own. When you say
2 you will reduce the hours, I want to make
3 sure you understand what the impact is going
4 to be.

5 SHUBAHA RAMASHKUR: We do.

6 ROBERT HAAS: Okay.

7 It seems to me if there's a desire on
8 the part of the neighbors to have a
9 conversation with you and this is going to be
10 open in March 2013, that it might be
11 beneficial for everybody involved to consult
12 with the neighbors and then see and address
13 their concerns and issues, and then the
14 normal course of action would be to take it
15 under advisement to November 1st for the
16 Board to take a vote on it.

17 ATTORNEY TRISH FARNSWORTH: Is that
18 okay with you?

19 SHUBAHA RAMASHKUR: Yeah.

20 ATTORNEY TRISH FARNSWORTH: I mean,
21 they're fine with that if that's the way you

1 want to handle it.

2 MICHAEL GARDNER: I believe I've
3 already asked if there are members of the
4 public, other members of the public who would
5 like to be heard.

6 (No Response.)

7 MICHAEL GARDNER: Seeing none. So
8 I'll make the motion that we defer action on
9 this application until our decision hearing
10 on November the 1st and encourage the
11 applicant to review the concerns which have
12 been e-mailed to us and address them with the
13 residents and/or the neighborhood.

14 GERALD REARDON: Second.

15 ELIZABETH LINT: I'll have Chris get
16 a copy of that to you.

17 ATTORNEY TRISH FARNSWORTH: Okay.
18 Appreciate it.

19 MICHAEL GARDNER: Motion having been
20 accepted and seconded, all those in favor
21 signify by saying "Aye."

1 GERALD REARDON: Aye.

2 ROBERT HAAS: Aye.

3 MI CHAEL GARDNER: Aye.

4 None opposed.

5 Wi sh you wel l .

6 ATTORNEY TRI SH FARNSWORTH: Thanks
7 very much.

8 MI CHAEL GARDNER: Interested in
9 seei ng i f anybody can teach me about cricket.

10 SHUBAHA RAMASHKUR: We' d l o ve to.
11 Thank you so much.

12 APPLI CATI ON: ANNAPURNA, I NC.

13 ELI ZABETH LI NT: Appl i cati on
14 Annapurna, Incorporated, doi ng busi ness as
15 and Annapurna Restaurant, Shaheen Pi rzada,
16 manager, hol der of a wi ne and mal t beverages
17 as a restaurant l i cense at 2088 Massachusetts
18 Avenue has appl i ed for a change of manager of
19 Tashi Lama Ngarba formerl y known as
20 Bri haspati Lama, and a change of
21 offi cers/di rectors.

1 MICHAEL GARDNER: Good evening. If
2 you would be so kind as to state and spell
3 your name for the record and identify your
4 roll in this matter.

5 TASHI LAMA NGARBA: Tashi, T-a-s-h-i
6 Lama, L-a-m-a Ngarba, N-g-a-r-b-a.

7 MICHAEL GARDNER: And your role
8 here, sir?

9 TASHI LAMA NGARBA: I'm a manager
10 and supervisor, whatever.

11 MICHAEL GARDNER: So you're the
12 proposed new manager?

13 TASHI LAMA NGARBA: Yes.

14 MICHAEL GARDNER: And can you tell
15 us about your experience both in restaurant
16 management and in working in an establishment
17 with an alcohol license?

18 TASHI LAMA NGARBA: Almost I working
19 15 years. And in this place I went another
20 almost seven years. For seven years.

21 MICHAEL GARDNER: So you've been

1 working in the current location for seven
2 years?

3 TASHI LAMA NGARBA: Yes.

4 MICHAEL GARDNER: And what's your
5 role been in those seven years?

6 TASHI LAMA NGARBA: But the manager
7 shift, everything is very slow. Business, we
8 didn't have a lot of people, that's why I'm
9 working with four or five people and that's
10 it.

11 MICHAEL GARDNER: So you've been
12 acting as the manager even though you're not
13 the manager of record on the license?

14 TASHI LAMA NGARBA: Because I am,
15 you know, the, you know, the owner. I need
16 to take -- because when I hire somebody, I
17 need to bring money. Business is really slow
18 that's why I did everything.

19 GERALD REARDON: Is this the
20 establishment on the corner of Walden Street?

21 TASHI LAMA NGARBA: Yes, yes.

1 MICHAEL GARDNER: And what was the
2 prior experience, you said to the seven years
3 you've had here?

4 TASHI LAMA NGARBA: Yeah.

5 MICHAEL GARDNER: What was that
6 experience, what did you do?

7 TASHI LAMA NGARBA: Cooking.
8 Morning time I'm cooking. Evening time I'm
9 the manager, outside dining hall.

10 GERALD REARDON: What location?

11 TASHI LAMA NGARBA: 2088 Mass.
12 Avenue. And I'm working downtown, the
13 Squealing Pig, the pub.

14 GERALD REARDON: So you were at 238
15 Mass. Avenue?

16 TASHI LAMA NGARBA: 2088 Mass. Ave.

17 GERALD REARDON: Okay, the current
18 location?

19 TASHI LAMA NGARBA: Yes.

20 MICHAEL GARDNER: Okay, all right.
21 For the last seven years?

1 TASHI LAMA NGARBA: Yes.

2 MICHAEL GARDNER: And prior to that
3 you were in downtown Boston?

4 TASHI LAMA NGARBA: Yeah, before
5 it's downtown Boston, the Squealing Pig.

6 MICHAEL GARDNER: And what was your
7 role there?

8 TASHI LAMA NGARBA: Chef.

9 MICHAEL GARDNER: The same?

10 TASHI LAMA NGARBA: Chef, chef.
11 Cooki ng. Chef.

12 MICHAEL GARDNER: I'm sorry.

13 ROBERT HAAS: Chef.

14 TASHI LAMA NGARBA: Yeah.

15 ELIZABETH LINT: Mr. Chair, if I
16 may. He's been involved with the restaurant
17 since the begi nni ng. He coul d not have been
18 the manager before because he was not
19 natural ized. He is now so he can.

20 MICHAEL GARDNER: Okay, thank you
21 for that.

1 And what's the change in officers or
2 directors that's being proposed?

3 TASHI LAMA NGARBA: It's just
4 myself. (Inaudible).

5 MICHAEL GARDNER: So someone else
6 was on the paperwork as an officer or a
7 director and they're going off and it's going
8 to be you alone?

9 TASHI LAMA NGARBA: Yes.

10 MICHAEL GARDNER: Background check
11 completed?

12 ELIZABETH LINT: Yes.

13 MICHAEL GARDNER: Any other
14 questions?

15 ROBERT HAAS: You were before the
16 Commission not too long ago; right? I
17 remember seeing you here not too long ago.
18 I'm just trying to remember what it was for.

19 TASHI LAMA NGARBA: I seen before
20 you. I came here.

21 ROBERT HAAS: Yes. What was it for

1 though?

2 GERALD REARDON: The establishment
3 across the street.

4 ELIZABETH LINT: Exactly.

5 ROBERT HAAS: Oh, okay. No, I
6 remember you being here before. I'm just
7 trying to figure, if you've been in this
8 place for seven years, it's longer than I've
9 been here. I know you were here since then.
10 I'm all set.

11 MICHAEL GARDNER: Are there any
12 members of the public who would like to be
13 heard on this matter?

14 (No Response.)

15 MICHAEL GARDNER: Seeing none, I'll
16 make the motion for the change in officers
17 and directors as described here and to
18 approve the change of managers to Tashi Lama
19 Ngarba.

20 TASHI LAMA NGARBA: Ngarba.

21 MICHAEL GARDNER: Ngarba?

1 TASHI LAMA NGARBA: Yeah.

2 MICHAEL GARDNER: At 2088 Mass. Ave.
3 Have you taken our 21-Proof training
4 yet?

5 TASHI LAMA NGARBA: Yes, I did in
6 Cambridge, City of Cambridge.

7 MICHAEL GARDNER: Okay. So I'll
8 just amend my motion to say subject to any
9 other administrative requirements that the
10 Commission staff may have.

11 GERALD REARDON: Second.

12 MICHAEL GARDNER: Motion having been
13 made and seconded, all those in favor signify
14 by saying "Aye."

15 GERALD REARDON: Aye.

16 ROBERT HAAS: Aye.

17 MICHAEL GARDNER: None opposed.

18 So, congratulations on both achieving
19 citizenship here.

20 TASHI LAMA NGARBA: Thank you very
21 much.

1 MI CHAEL GARDNER: And al so on bei ng
2 able to regul arize thi s rel ati onshi p to be
3 the manager. Sounds l i ke you' ve been
4 managi ng for a long ti me and good to have the
5 paperwork squared away.

6 TASHI LAMA NGARBA: Thank you very
7 much.

8 MI CHAEL GARDNER: Good l uck to you.

9 APPLI CATION: DJD RESTAURANT GROUP, LLC

10 ELI ZABETH LI NT: Appl i cati on DJD
11 Restaurant Group, LLC, doi ng busi ness as
12 Toscano Squared, Ri chard Cacci agrani ,
13 manager, hol der of an al l al coholic beverages
14 as a restaurant l i cense at 52-52A-52B Brattle
15 Street has appl i ed for a change of d/b/a to
16 Toscano Harvard Square.

17 MI CHAEL GARDNER: Good eveni ng.

18 ATTORNEY KEVI N CRANE: Good eveni ng.

19 MI CHAEL GARDNER: Woul d you bes o
20 ki nd as to state and spel l your names for the
21 record.

1 ATTORNEY KEVIN CRANE: Attorney
2 Kevin Crane, C-r-a-n-e, 104 Mount Auburn
3 Street, Cambridge, and I represent the
4 Petitioner.

5 RICHARD CACCIAGRANI: Richard
6 Cacciagrani, C-a-c-c-i-a-g-r-a-n-i, 150
7 Dorchester Ave., Boston, Mass.

8 MICHAEL GARDNER: And if you would
9 be so kind as to explain the change that
10 you're seeking and the reasons for it.

11 ATTORNEY KEVIN CRANE: Initially the
12 name Toscano Squared was a little bit of a
13 takeoff on -- they thought they were closer
14 to MIT, and that the squared with squared
15 root, with the second restaurant would be
16 cute. But they decided marketing wise that
17 it wasn't so cute. So that they have the
18 restaurant in Boston, and by identifying this
19 location as Toscano Harvard Square, it will
20 distinguish it from the location on Charles
21 Street and also take advantage of the

1 branding of Harvard Square.

2 MICHAEL GARDNER: Okay.

3 And how long has the restaurant been in
4 operation?

5 ATTORNEY KEVIN CRANE: It's under
6 construction right now.

7 MICHAEL GARDNER: Under
8 construction?

9 RICHARD CACCIAGRANI: Yeah, we're
10 under construction.

11 MICHAEL GARDNER: So this is brand
12 new?

13 RICHARD CACCIAGRANI: Yes.

14 MICHAEL GARDNER: Other questions?

15 ROBERT HAAS: So I just want to --
16 you own another restaurant in Boston?

17 RICHARD CACCIAGRANI: Toscano Beacon
18 Hill on Charles Street.

19 ROBERT HAAS: Okay. And you
20 maintain that operation as well?

21 RICHARD CACCIAGRANI: Yes.

1 GERALD REARDON: Were these always
2 the same three addresses; 52 -- this is not
3 an expansion of the space that's there now.

4 ATTORNEY KEVIN CRANE: It's not an
5 expansion of what was approved by the Board.
6 I mean, this is -- we did take over the space
7 at the corner that was a clothing store
8 before that. And that is combined with the
9 Cafe of India location.

10 MICHAEL GARDNER: I guess I'm just
11 generally ask Ms. Lint or anyone, I assume
12 it's because the license needs to be changed
13 but I'm not so sure what issues we would have
14 with respect to an applicant making marketing
15 decisions about what to call themselves. Any
16 particular experience or thoughts about
17 anything here that's of concern to us?

18 ELIZABETH LINT: I wouldn't think
19 so. I mean, they certainly can call it
20 whatever they want to call it.

21 RICHARD CACCIAGRANI: We just want

1 to clear it up before we actually open. You
2 know, it's a legality thing.

3 ELIZABETH LINT: Yes, I actually
4 thought it was changing because there had
5 been another establishment in the square that
6 didn't succeed that was squared.

7 RICHARD CACCIAGRANI: Oh, really?

8 ELIZABETH LINT: So...

9 ATTORNEY KEVIN CRANE: I'll keep
10 that in mind.

11 GERALD REARDON: It's far cheaper to
12 change it now before you get into signs and
13 menus.

14 RICHARD CACCIAGRANI: Yes.

15 ROBERT HAAS: When do you plan on
16 opening?

17 RICHARD CACCIAGRANI: We're hoping
18 probably the second week of December right
19 now. We're getting ready for our rough
20 inspection coming up. So, we just -- we did
21 a lot more infrastructure than originally was

1 thought when we initially gutted the place
2 out and all the old piping and everything.
3 So we -- we're at square one.

4 GERALD REARDON: That makes me very
5 happy.

6 MICHAEL GARDNER: That's not a pun I
7 take it.

8 ATTORNEY KEVIN CRANE: They've
9 installed fire sprinklers as well, Chief.

10 GERALD REARDON: Yes.

11 MICHAEL GARDNER: Are there any
12 members of the public who would like to be
13 heard on this matter?

14 (No Response.)

15 MICHAEL GARDNER: Seeing none, I'll
16 make the motion to approve the d/b/a to
17 Toscano Harvard Square from the currently
18 approved Toscano Squared.

19 ROBERT HAAS: Second.

20 MICHAEL GARDNER: Motion having been
21 made and seconded, all those in favor,

1 signify by saying "Aye."

2 GERALD REARDON: Aye.

3 ROBERT HAAS: Aye.

4 MICHAEL GARDNER: Aye.

5 None opposed.

6 So good luck with the new marketing
7 plan and completion of your work and a
8 successful launch.

9 ATTORNEY KEVIN CRANE: Thank you
10 very much.

11 APPLICATION: MARSH POST #442 THE AMERICAN
12 LEGION, INC.

13 ELIZABETH LINT: Application Marsh
14 Post No. 442, The American Legion,
15 Incorporated, Diane Gray, manager, holder of
16 an all alcoholic beverages as a club license
17 at 1 Gerry's Landing, has applied for a
18 change of manager to Charles Linehan III.

19 MICHAEL GARDNER: Good evening. If
20 you'd be so kind to state and spell your name
21 for the record and identify your role.

1 CHARLES LINEHAN: Yes. My name is
2 Charles Linehan, L-i-n-e-h-a-n.

3 MICHAEL GARDNER: And are you the
4 Charles Linehan who is the third?

5 CHARLES LINEHAN: I am. And I am
6 the one who will be possibly taking over the
7 Marsh Post.

8 MICHAEL GARDNER: And could you tell
9 us, Mr. Linehan, appropriate public
10 disclosure -- I've done this Mr. Linehan in a
11 prior role when he was an employee for the
12 City of Cambridge for a long time, but could
13 you tell us about your experience in managing
14 an operation like this?

15 CHARLES LINEHAN: Okay. Yeah, my
16 experience in managing this operation is very
17 limited. However, if I just take you back 40
18 years, I've had a lot of experience tending
19 bars, tending bars in Cambridge, bars such as
20 Charlie's Kitchen, the Rendezvous, OD's
21 Plantation, J.A. Chalet. I'm sure the fire

1 chief is familiar with both bars.

2 GERALD REARDON: Boston history
3 here.

4 CHARLES LINEHAN: Yeah. And then
5 just to fast forward up until most recently,
6 past couple years I've been on the board of
7 directors at the American Legion in the Marsh
8 Post. And subsequently it had been run by
9 Jim Gray who was the bar manager. And he ran
10 it for several years, he's a former commander
11 there, and he has decided to step down. So
12 when the -- in the interim, probably the past
13 year, six months to a year, I have been like
14 an -- as well as being on the board of
15 directors, it was like an assistant bar
16 manager. And the functions there would be
17 to, I would assist him in the procurement or
18 the purchasing of alcoholic beverages,
19 managing the bar, the daily functions of the
20 bar, collecting the receipts, seeing that the
21 treasurer gets the money and the bills get

1 paid. And also running our charitable
2 functions which we do, we do -- in fact,
3 there's a wounded warriors functions and
4 different things, and we work with the
5 community as well. So I've been involved in
6 that for the past, you know, year and a half.
7 Close to a year and a half.

8 MICHAEL GARDNER: And what do you
9 see are the principal challenges you have in
10 managing or running an operation like this
11 and having your name on the record?

12 CHARLES LINEHAN: Well, in this
13 particular spot I think that, you know, not
14 like the old places 40 years ago, the
15 challenges are completely different. Our
16 principal challenges would be to keep the
17 place alive and vibrant and to, you know,
18 continue to do what we do contributing, you
19 know, in these charitable organizations. And
20 I think one of the difficult parts we have,
21 and this is only so during the summer, if we

1 were to have a problem or a complaint, and I
2 don't think we've had any in a long while, it
3 would be nothing more than loud noises. And
4 by that I just mean there would be music.
5 There would be a function, if the place was
6 rented and there would be a function,
7 sometimes with the doors open or the outside
8 patio, the music in the summertime outside,
9 it travels down the river. In the past we've
10 had like minor complaints which, you know,
11 we've worked out with the complainers if you
12 will. You know, we work with them to keep
13 the music down or try not to have functions
14 when they have their scheduled functions on
15 the other side of the river. These actually
16 are complaints that come in like from
17 Brighton. You know, over the other side,
18 the Shakespearean festival sometimes if we
19 have a -- you know, like that. So that would
20 be somewhat of a challenge. Other than that,
21 it's a pretty, you know, low key place and

1 there aren't many challenges. That's one of
2 the reasons I'm considering, you know,
3 becoming the manager. If there were, I might
4 consider something else.

5 MICHAEL GARDNER: So what are the
6 rules with respect to non-members coming?

7 CHARLES LINEHAN: Well, we're mostly
8 members. We really don't allow non-members.
9 The non-members that are allowed in there are
10 -- well, not so much, we'll sometimes have
11 the place like open or the doors will be
12 open. It's usually locked. It's in lock
13 down. You need a key and you have to be a
14 member to get in. But, however, we
15 occasionally get people that will come by,
16 people just, you know, jogging or walking the
17 river just enjoying the DCR facilities, and
18 we allow them in primarily to use the -- our
19 facilities, the restrooms if you will. You
20 know, just being like that. But other than
21 that, the general public, you know, they

1 don't come, no. You can come in with a
2 member.

3 MICHAEL GARDNER: So guests of
4 members?

5 CHARLES LINEHAN: Exactly, yeah.
6 But other than that, it's, you know, other
7 than that we have approximately 125 members
8 there now. And, you know, it's like most of
9 the veteran's organization, you know, they're
10 pretty slow. Things are kind of slow.
11 So. . . .

12 MICHAEL GARDNER: So you may have
13 alluded to it, but is there in fact a
14 challenge to the economic viability of an
15 operation like this going forward?

16 CHARLES LINEHAN: A challenge to it?

17 MICHAEL GARDNER: Right.

18 CHARLES LINEHAN: Oh, well.

19 MICHAEL GARDNER: Business being too
20 slow or not enough members?

21 CHARLES LINEHAN: Yeah, absolutely.

1 Yeah, business is slow. And, you know, it is
2 what it is. You know, fortunately, you know,
3 we have an agreement with DCR and everything
4 else which is I guess not really relevant to
5 this proceedings that, you know, without,
6 without it, you know, we'd be -- have real
7 challenges, difficulties.

8 MICHAEL GARDNER: And so do you rent
9 out the space to non-member affiliates?

10 CHARLES LINEHAN: No, not as a rule.
11 It has to be a member, family member or
12 someone associated to the member. Just to
13 the general public as a rule, we don't.

14 MICHAEL GARDNER: But you might have
15 a special function --

16 CHARLES LINEHAN: Absolutely.

17 MICHAEL GARDNER: -- sponsored by a
18 member?

19 CHARLES LINEHAN: Yeah. And then we
20 have like a road race. We have like five of
21 them a year. There's a racing club. I mean,

1 some of them are members. I mean, many of
2 them are. But, you know, I mean we do that.
3 And, you know, that's five a year. We use
4 detail officers, mostly the state police, not
5 Cambridge police, but that's, you know -- and
6 we just abide by, you know, all the rules and
7 regulations that the City of Cambridge and
8 the Licensing Board.

9 MICHAEL GARDNER: Other questions?

10 ROBERT HAAS: So at one point I
11 think it was prior to your term there, there
12 was a period of time when they were hiring
13 promoters to come in and try to raise some
14 funds for the Marsh. That no longer takes
15 place?

16 CHARLES LINEHAN: No. I'm not
17 familiar. They were hiring promoters?

18 ROBERT HAAS: Promoters from New
19 Hampshire to attract money to keep the post
20 alive.

21 CHARLES LINEHAN: Not to my

1 knowl edge, Commi ssi oner. I'm not fami liar
2 wi th that.

3 ROBERT HAAS: Am I mi xi ng i t up wi th
4 the other pl ace?

5 ELI ZABETH LINT: Yes. It was not
6 the Marsh Post. The Marsh Post, no, they had
7 two l ocal Cambri dge resi dents that were i n
8 the musi c i ndustry that were doi ng some
9 events there. And I bel i eve one of them
10 became a member.

11 ROBERT HAAS: Was he a promotor?

12 ELI ZABETH LINT: I don' t bel i eve so.

13 ROBERT HAAS: All ri ght.

14 ELI ZABETH LINT: I do know what
15 you' re speaki ng of, but I can' t remember
16 whi ch establ i shment i t was. I thi nk i t mi ght
17 have been the Y.

18 ROBERT HAAS: I thought i t was the
19 Marsh Post. It was l i ke one or two events
20 and there was a promoter out of New
21 Hampshi re.

1 ELIZABETH LINT: I don't believe so.

2 ROBERT HAAS: It was more like a
3 concert or something like that. It was
4 several years ago.

5 CHARLES LINEHAN: Right. I remember
6 something, but you said there was some
7 people, something -- there was something they
8 were advertising on the computer?

9 ELIZABETH LINT: Yes.

10 CHARLES LINEHAN: That was shut down
11 immediately. I know what you're referring
12 to.

13 ROBERT HAAS: It didn't go on for a
14 long period of time. Because as soon as they
15 had the first event --

16 CHARLES LINEHAN: I'm not familiar
17 with the one out of New Hampshire. But the
18 one the lady said.

19 GERALD REARDON: They might have had
20 one that attracted some underage people I
21 think locally.

1 CHARLES LINEHAN: Well, unaware to
2 me, but there's --

3 GERALD REARDON: That's a long time
4 ago.

5 ELIZABETH LINT: They were doing
6 dance parties.

7 CHARLES LINEHAN: You know, people
8 appear to be, you know, ID's will be checked
9 and then, you know, I've been around. I
10 understand the rules and, you know, we want
11 to keep this place alive and they will adhere
12 to it or they won't be there.

13 MICHAEL GARDNER: Have you done
14 21-Proof training?

15 CHARLES LINEHAN: I have not.

16 MICHAEL GARDNER: You obviously
17 you'll be willing to and you will? That's a
18 question.

19 CHARLES LINEHAN: I'm unfamiliar
20 with that. So if I, I'd like to know before
21 about it before I make my commitment.

1 MICHAEL GARDNER: Ms. Lint, do you
2 want to give him a 30 second summary?

3 ELIZABETH LINT: It's very similar
4 to TIPS training only it's specific to
5 Cambridge. So any person who is a manager of
6 record in any alcohol establishment has no
7 choice but to take it.

8 CHARLES LINEHAN: That's fine.
9 Looks like I'll be taking it, Mr. Gardner.

10 MICHAEL GARDNER: And you understand
11 that as the manager, if in fact for some
12 reason an outside group or the group
13 affiliated with a member comes in and has an
14 event or activity there, as the manager
15 you're still responsible?

16 CHARLES LINEHAN: Exactly. I
17 understand that, I do.

18 ELIZABETH LINT: Mr. Chair, there is
19 just one other issue. We just recently,
20 within the last week, had an issue with one
21 of the other veteran's posts going to New

1 Hampshire to purchase their alcohol to save
2 money and having an illegal gambling machine
3 on premise. So we want to make sure that you
4 understand you have to purchase from an
5 approved Massachusetts retailer.

6 CHARLES LINEHAN: I understand that.
7 That's what we do. And we have no illegal
8 gambling machines in there. The machines --
9 there are -- actually, there's one machine
10 and it's not a gambling machine. I'm very
11 well aware of the gambling machines. And we
12 do not have that and we understand that, and
13 we don't intend to have anything.

14 MICHAEL GARDNER: Are there any
15 members of the public who would like to be
16 heard on this matter?

17 (No Response.)

18 MICHAEL GARDNER: Seeing none, any
19 further questions?

20 ROBERT HAAS: No further questions.

21 ELIZABETH LINT: Background done.

1 MICHAEL GARDNER: The background has
2 been completed?

3 ELIZABETH LINT: Yes.

4 GERALD REARDON: I make a motion to
5 approve the transfer from Diane Gray to
6 Charles Linehan, III for the American Legion
7 Marsh Post at 1 Gerry's Landing Road.

8 MICHAEL GARDNER: I'll second the
9 motion.

10 All those in favor?

11 GERALD REARDON: Subject to the
12 conditional 21-Proof and anything else
13 administratively.

14 ELIZABETH LINT: We'll send you the
15 information.

16 CHARLES LINEHAN: Thank you.

17 MICHAEL GARDNER: We haven't voted
18 yet.

19 CHARLES LINEHAN: Pardon me?

20 MICHAEL GARDNER: We haven't voted
21 yet.

1 CHARLES LINEHAN: Oh.

2 MICHAEL GARDNER: The motion's been
3 made and seconded.

4 All those in favor signify by saying
5 "Aye."

6 CHARLES REARDON: Aye.

7 ROBERT HAAS: Aye.

8 MICHAEL GARDNER: Aye.

9 None opposed.

10 Now you can get up and leave.

11 CHARLES LINEHAN: Have a good
12 evening, gentlemen. Ma'am.

13 APPLICATION: TONE BROKER GUITARS, INC.

14 ELIZABETH LINT: Application Tone
15 Brokers Guitar, Incorporated, William Fiora,
16 manager, has applied for a secondhand goods
17 dealer license at 14 Cushing Street. Said
18 license, if granted, would allow dealing of
19 rags, junk, old metals, and secondhand
20 articles.

21 MICHAEL GARDNER: Good evening. If

1 you would be so kind as to state and spell
2 your names for the arrested and identify your
3 roles.

4 WILLIAM FIORA: William Fiora,
5 W-i-l-l-i-a-m, Fiora, F-i-o-r-a.

6 MICHAEL GOODMAN: And Michael
7 Goodman. M-i-c-h-a-e-l G-o-o-d-m-a-n.

8 WILLIAM FIORA: I am the applicant
9 here. We are running -- about to open a
10 guitar store that will sell both new
11 instruments but also used instruments.

12 MICHAEL GARDNER: And your role,
13 sir?

14 MICHAEL GOODMAN: Partner.

15 MICHAEL GARDNER: But you're the
16 manager of record, Mr. Fiora?

17 WILLIAM FIORA: Yes.

18 MICHAEL GARDNER: So the way the
19 application reads, the license, if granted,
20 would allow dealing of rags, junk, old
21 metals, and secondhand articles. Do you have

1 any plans to sell anything besides guitars,
2 new and used?

3 WILLIAM FLORA: No, we don't.

4 Guitars, perhaps some amplifiers. But no
5 rags, no bones, no scrap metal.

6 GERALD REARDON: Under the Archean
7 law you can if you want to.

8 MICHAEL GOODMAN: I don't think it
9 fits the business model.

10 MICHAEL GARDNER: And what kind of
11 experience do you have as in the retail
12 trades today?

13 WILLIAM FLORA: For both of us this
14 is our first retail endeavor. Both of us
15 have started and run businesses on our own.
16 I ran a management consulting company.

17 MICHAEL GOODMAN: I ran a production
18 company many years ago, but I've just spent
19 16 years working for Tribune Broadcast out in
20 Seattle, but I worked for Brazen Guitars
21 which was a company manufacturing in China

1 and was headquartered in Covina, California,
2 and I was helping them with sales out on the
3 West Coast for three years. We're both very
4 active musicians. This is a passion and a
5 love. So it's sort of like getting out of
6 our other businesses and getting into
7 something else.

8 GERALD REARDON: So this is the
9 store on the rear on Cushing Street on the
10 corner?

11 MICHAEL GOODMAN: Yes, sir. The
12 little tiny one on the corner.

13 MICHAEL GARDNER: And what was the
14 business in the space before?

15 WILLIAM FLORA: The most recent
16 tenant was called Mad Closet. I believe it
17 was secondhand clothing.

18 MICHAEL GARDNER: So the same, same
19 location, same model business, same type
20 license?

21 ELIZABETH LINT: That one's not

1 familiar to me. It could be one that slipped
2 under the radar.

3 MICHAEL GARDNER: Other questions?

4 ROBERT HAAS: No other questions.

5 MICHAEL GARDNER: Are there any
6 members of the public who would like to be
7 heard?

8 (No Response.)

9 ELIZABETH LINT: You have the
10 abutter notifications?

11 MICHAEL GOODMAN: The abutters.

12 WILLIAM FLORA: Oh, yeah. Well, I
13 did send in --

14 ELIZABETH LINT: I need the green
15 cards.

16 WILLIAM FLORA: Well, you know, I
17 wish I had more. We did not get any green
18 cards back. We got two refused letters, but
19 none of the green cards have made their way
20 back.

21 ELIZABETH LINT: And background

1 sati sfi ed.

2 MICHAEL GARDNER: And so I take it
3 it's your view that there's an economic role
4 for a guitar store, new and used, in
5 Cambridge here?

6 WILLIAM FLORA: We do. There was
7 previously a well regarded store, Cambridge
8 Music, Massachusetts Avenue, that went out of
9 business for non-business related issues.
10 The Music Emporium which is now located in
11 Lexington, is doing quite well. That used to
12 be based in Cambridge. So we think there's a
13 gap that's opened up in the marketplace.

14 MICHAEL GOODMAN: And we're selling
15 new American handmade boutique guitars and
16 amps and very rare and vintage equipment.
17 Both Bill and I are collectors, long time
18 collectors. So that's where the started
19 inventories started from.

20 MICHAEL GARDNER: So it's sort of an
21 upscale kind of store.

1 WILLIAM FIORA: Yes, sir.

2 MICHAEL GARDNER: So the rags

3 woul dn' t go.

4 WILLIAM FIORA: No, sir.

5 MICHAEL GARDNER: Are there any
6 members of the public who would like to be
7 heard on this matter?

8 (No Response.)

9 GERALD REARDON: Are you selling
10 some of the -- are they still popular, the
11 actual two amplifiers?

12 WILLIAM FIORA: Oh, very.

13 MICHAEL GOODMAN: Two amps are very,
14 very popular. Very popular.

15 GERALD REARDON: Yeah? They selling
16 Leslies in there?

17 MICHAEL GOODMAN: You know, I
18 haven' t seen any Leslie speakers around, but
19 you never know.

20 WILLIAM FIORA: That' s Michael ' s
21 particular expertise. He' s an electrical

1 engi neer.

2 MI CHAEL GOODMAN: Engi neer, ri ght.
3 I 've been doi ng a lot of mai ntenance, too,
4 and we have li nes to support the parts.

5 GERALD REARDON: I don' t thi nk you
6 can master the sounds of that.

7 MI CHAEL GOODMAN: I 'm sorry?

8 GERALD REARDON: I don' t thi nk you
9 can master the sounds of that.

10 MI CHAEL GOODMAN: Of the Leslie?

11 GERALD REARDON: Yes.

12 MI CHAEL GOODMAN: It' s nice that you
13 know about it. Pl ay the keyboard?

14 GERALD REARDON: Used to. I just
15 like the sound now.

16 MI CHAEL GARDNER: Any other
17 questi ons?

18 ROBERT HAAS: No.

19 GERALD REARDON: None.

20 MI CHAEL GARDNER: So I 'll make the
21 moti on to approve the appli cation for a

1 secondhand goods dealer license for 14
2 Cushing Street for the business purpose as
3 described.

4 GERALD REARDON: Second.

5 MICHAEL GARDNER: Motion having been
6 made and seconded, all those in favor signify
7 by saying "Aye."

8 GERALD REARDON: Aye.

9 ROBERT HAAS: Aye.

10 MICHAEL GARDNER: Aye.

11 None opposed.

12 Good luck with your new endeavor.

13 WILLIAM FLORA: Thank you, sir. Is
14 there some requirements we need to know
15 about?

16 ELIZABETH LINT: We will send you a
17 letter and tell you what to do.

18 WILLIAM FLORA: Excellent.

19 APPLICATION: CHARBEL SALAMEH d/b/a CAFE
20 BARADA

21 ELIZABETH LINT: Application Charbel

1 Salameh d/b/a Cafe Barada, holder of a wine
2 and malt beverages as a restaurant license at
3 2269 Massachusetts Avenue has applied for an
4 alteration of premise to add seasonal outdoor
5 patio seating on private property and to
6 upgrade the existing license to all alcohol.

7 MICHAEL GARDNER: Good evening. If
8 you would be so kind as to state and spell
9 your name for the record and also describe
10 your role.

11 CHARBEL SALAMEH: Charbel Salameh.
12 C-h-a-r-b-e-l, last name S-a-l-a-m-e-h. And
13 I'm the owner and manager of Cafe Barada.

14 MICHAEL GARDNER: And how long have
15 you held that role?

16 CHARBEL SALAMEH: Eight years.

17 MICHAEL GARDNER: And is that the
18 entire life of the restaurant?

19 CHARBEL SALAMEH: No.

20 MICHAEL GARDNER: Okay. So you've
21 been the manager for eight years?

1 CHARBEL SALAMEH: Yes.

2 MICHAEL GARDNER: And tell us first
3 about the seasonal outdoor patio.

4 CHARBEL SALAMEH: Yep. So we -- I
5 guess I don't know -- because we -- I just
6 want to make sure we got it right. We
7 increased the inside seating capacity to 49,
8 and we filed everything with ISD and the
9 state based on that. The seasonal seating
10 outdoor will be taken from the seats inside
11 to be used outside on the patio.

12 MICHAEL GARDNER: So did we approve
13 an increase to 49?

14 ELIZABETH LINT: Quite a while ago.

15 MICHAEL GARDNER: So how many
16 outdoor seats do you expect?

17 CHARBEL SALAMEH: I believe we're
18 going to go with 24. I know in the past City
19 Council approved it for 10 to 12 tables with
20 30 seats. I think just to begin we're going
21 to do 24. And then we've put nine tables

1 with the 24.

2 GERALD REARDON: Are any of these on
3 your property?

4 CHARBEL SALAMEH: They're all on the
5 building's property. So nothing will be on
6 city sidewalk.

7 GERALD REARDON: Okay.

8 ELIZABETH LINT: And then it
9 wouldn't have even needed City Council
10 approval.

11 GERALD REARDON: That's what I was
12 wondering.

13 CHARBEL SALAMEH: We've -- it was a
14 very long process and we got a lot of go
15 here, go there, and that's how it kind of
16 ended up. Honestly I don't know, we were
17 kind of sent back and forth in a lot of
18 different places, but it's completely on the
19 property of the building. And I think that
20 you guys should have copies of all that if
21 needed.

1 MICHAEL GARDNER: And what are your
2 plans with respect to the season or when do
3 you -- what do you envision having outdoors?

4 CHARBEL SALAMEH: Probably end of
5 April assume this area doesn't -- beginning
6 of May, and then although we had some nice
7 days in October, probably the beginning of
8 October, maybe first week in October, but
9 actually we're in October, I'm sorry,
10 September. Probably the beginning of
11 October.

12 MICHAEL GARDNER: And then you'll
13 have fewer seats indoors?

14 CHARBEL SALAMEH: During the --

15 MICHAEL GARDNER: During, when the
16 outdoor season is over?

17 CHARBEL SALAMEH: During -- when the
18 seats are outside. I believe that's how it
19 was set up through everything we did not
20 knowing that we could have done it the other
21 way around and just left -- kind of did both

1 seats.

2 ELIZABETH LINT: I might be able to
3 shed a little light on that. There was an
4 issue with parking and through Zoning
5 Regulations they couldn't have any additional
6 seats based on the size with the proportion
7 to parking.

8 MICHAEL GARDNER: Do you understand
9 that?

10 CHARBEL SALAMEH: Yes, yes. Oh,
11 yes, we went through it.

12 ELIZABETH LINT: We've been through
13 it a couple of years now.

14 CHARBEL SALAMEH: Yeah.

15 MICHAEL GARDNER: And what's the
16 thinking about upgrading the existing license
17 now?

18 CHARBEL SALAMEH: A lot of I guess
19 asked for it. I don't know if you're
20 familiar with the Arak, some of the Greek
21 ouzo kind of a clear beverage. You mix it

1 with water. Very popular in Lebanon, you
2 know, and that falls under the all alcohol
3 portion of it. It makes a great add to your
4 kind of kabobs and different things like
5 that. So a lot of people have been asking
6 for it. You know, and currently because we
7 only have the malt and wine, it is not a
8 malt, you know, obviously it is not a wine.
9 So we're kind of looking to expand on that a
10 little bit. And I have a lot of experience
11 in the alcohol field. I work at Fenway Park
12 as well. I do mixed drinks there. So kind
13 of seen the full end aspect of it. It took
14 21-Proof when we received our last license
15 with Frank, and then Bar Code Certified and
16 TIPS certified as well.

17 MICHAEL GARDNER: And are you the
18 current manager of record on the wine and
19 malt?

20 CHARBEL SALAMEH: Yes, yeah.

21 MICHAEL GARDNER: And, I mean, this

1 license will allow you to serve all spirits
2 including cocktails?

3 CHARBEL SALAMEH: Yeah.

4 MICHAEL GARDNER: But do I
5 understand your intention is to focus on arak
6 or --

7 CHARBEL SALAMEH: That's -- I mean,
8 no, we will still do everything else along
9 with it, but that kind of -- you know, it
10 goes great with Middle Eastern food. You
11 know, as with our beer and wine license, most
12 people go Lebanese wine, Lebanese beer, and
13 they do, I think it's just the type of
14 restaurant you're in. You traditionally
15 wouldn't find a Lebanese wine in a regular
16 Italian restaurant or something. So people
17 kind of like trying that new, new item I
18 guess that you have added.

19 GERALD REARDON: So is your
20 intention just to have a service bar and add
21 a bar?

1 CHARBEL SALAMEH: Just a service
2 bar. We won't -- the only thing that we'll
3 be renovating the inside, but, you know, not
4 to the extent of gutting it out. We have two
5 counters and I believe -- I don't know if you
6 guys are familiar with our floor plan. The
7 bigger counter of the two is going to be torn
8 out to create more floor space to add in the
9 extra seats. The second counter will just be
10 reshaped to just kind of narrow it a little
11 bit more, you know. And then we will be, I
12 believe, knocking out a small wall closet
13 type piece to open up and put a little more
14 kind of seating in there which that area will
15 be used primarily in the summer as a waiting
16 area. We'll just remove the tables to get it
17 to make sure it's the right number of chairs
18 and tables and seats. But no bar, no --

19 MICHAEL GARDNER: So when you said
20 you're demolishing or taking out the big
21 counter for additional seating, that is to be

1 able to get to the 49 which was additional
2 seating?

3 CHARBEL SALAMEH: Yes, because we
4 currently have --

5 MICHAEL GARDNER: Because you're not
6 going to have more people in the restaurant
7 in the winter than your license calls for and
8 in the summer you'll have less; right?

9 CHARBEL SALAMEH: Yes. Yeah.

10 MICHAEL GARDNER: But this requires
11 now a change to take out the counter?

12 CHARBEL SALAMEH: Yes.

13 MICHAEL GARDNER: In order to fully
14 implement the 49?

15 CHARBEL SALAMEH: Yes.

16 MICHAEL GARDNER: Which you have not
17 implemented yet?

18 CHARBEL SALAMEH: No, we couldn't do
19 that until we received approval from you
20 guys.

21 ELIZABETH LINT: Everything in here

1 I'm looking at says there's only 19 seats.

2 ROBERT HAAS: Outside or inside?

3 ELIZABETH LINT: Inside.

4 Did you have a BZA hearing?

5 CHARBEL SALAMEH: We did, yes.

6 ELIZABETH LINT: And they

7 approved --

8 CHARBEL SALAMEH: Yes.

9 ELIZABETH LINT: Okay, what needed
10 to happen is that you needed to do was apply
11 here for an increase seating to 49.

12 CHARBEL SALAMEH: Do you need the
13 BZA paper?

14 ELIZABETH LINT: No. But --

15 CHARBEL SALAMEH: Okay.

16 MICHAEL GARDNER: I think we need a
17 new application.

18 CHARBEL SALAMEH: Okay.

19 MICHAEL GARDNER: So, I'll just on
20 behalf of the city, apologize if there's been
21 a miscommunication or in terms of procedural

1 compl exi ti es. There are a lot of di fferent
2 organi zati ons or i nsti tuti ons wi thi n the ci ty
3 i tsel f. But j ust getti ng the BZA i s not
4 enough.

5 CHARBEL SALAMEH: No, but I feel
6 I i ke when I droppe d everythi ng off wi th
7 Chri s, everythi ng was update d because he. . . .

8 MI CHAEL GARDNER: Wel l , Chri s i s
9 respon si bl e for the preparati on of the
10 agend a.

11 ELI ZABETH LINT: Yes, he i s. I t' s
12 our mi stake.

13 MI CHAEL GARDNER: So, but that sti ll
14 create s probl ems wi th respect to a butte r
15 noti ces and al l of that.

16 ELI ZABETH LINT: Yes, i t sure doe s.

17 MI CHAEL GARDNER: So my doubl e
18 apol ogi es to you, si r. I t appear s the
19 mi stake i s our s. We onl y have i t on the
20 agend a for the al terati on of the premi ses, to
21 add seasonal outdoor pati o seati ng, and

1 upgrade the license to all alcohol. We don't
2 have an indication of an increase in the
3 number of seats from 19 to 49.

4 CHARBEL SALAMEH: Okay.

5 MICHAEL GARDNER: And I regret that
6 error.

7 I will also --

8 CHARBEL SALAMEH: I believe in our
9 abutter notices we did put we were
10 increasing. I wrote a letter.

11 ELIZABETH LINT: Do you have a copy
12 of it?

13 CHARBEL SALAMEH: You know, I don't.
14 And I don't think I did. It might be on my
15 computer.

16 ELIZABETH LINT: Can you bring that
17 in because then he wouldn't be required to
18 re-notice all the abutters. If they have --

19 ROBERT HAAS: Do you still have to
20 do the public advertisement for the increase?

21 ELIZABETH LINT: Yes, we'll do that.

1 CHARBEL SALAMEH: I'll give you
2 those two actually.

3 MICHAEL GARDNER: So there is an
4 addition, sir, similar to an earlier
5 conversation we had this evening, a
6 recommendation from Michael Muehe who is the
7 Executive Director of the Commission for
8 Persons With Disabilities and also our
9 Americans with Disabilities Act Coordinator
10 for the city and he's our -- I'll just read
11 into the record the comments that he made.
12 It's a letter dated today so I'm assuming you
13 don't have a copy of it.

14 CHARBEL SALAMEH: No.

15 MICHAEL GARDNER: We'll certainly
16 make a copy available to you. But his
17 indication is that the current condition, the
18 ramp to the front entrance has a variable
19 slope up to 10.5 I think degrees or
20 percentage which is significantly greater
21 than the allowable maximum slope of 8.33

1 percent or degrees under the ADA. There is
2 no level platform in front of the door. The
3 door handle at the front door is a round
4 doorknob which is inaccessible to people with
5 disabilities who have limited hand dexterity.
6 The recommend readily achievable
7 accommodations which is the standard for
8 Mr. Muehe indicates -- he's encouraging us to
9 follow here, is to regrade or otherwise
10 modify the existing entrance so as to provide
11 a level platform in front door, as well as a
12 ramp to the platform with a slope no greater
13 than 8.33 percent. Include handrails on both
14 sides of the ramp, replace the round doorknob
15 with a lever door handle, include wheelchair
16 accessible seating throughout the proposed
17 outdoor seating area. So I understand this
18 is being sprung on you this evening.

19 CHARBEL SALAMEH: Yeah.

20 MICHAEL GARDNER: I wonder if from
21 just my reading it you have a sense that you

1 understand what the request is or not?

2 CHARBEL SALAMEH: Yes -- no, we do.
3 You know, to be honest for -- in the eight
4 years I've been there, and I know we've been
5 in that location I believe a little over ten
6 years now, it's always been how it is. You
7 know, you come up to look at something and
8 say it's 10.5 or 8.3, I don't know, I don't
9 know if your eyes, but I know I can't tell
10 that it's -- what the difference, you know,
11 would be. We've never had problems with it
12 in the past, but we knew we would make to --
13 we've got to fix it or not fix it. It needs
14 to be repaved a little bit. That we knew --
15 that was coming up when we were going to do
16 everything that we're doing to repave it on
17 the outside. Now, based on that, I'm
18 assuming he's saying to add a flat platform
19 and then have a ramp going up to that
20 platform. Because currently right now you go
21 up the ramp to the door -- you open the door

1 and you essentially enter right into the
2 restaurant which is flat when you go in. So
3 I guess I'm just not a hundred percent sure
4 as to what exactly he would want out there or
5 I guess how it would, you know, need to be
6 done or if there's -- but, you know, it's not
7 something we're opposed to working on. We've
8 added bars in the bathrooms over the years
9 when people have asked, you know, so -- and
10 the outside should all pretty much be
11 accessible in any way except I believe for
12 the booths as long as they, or if they could
13 step out of the wheelchair, they should be
14 able to get into the booth. Otherwise the
15 booths will be stationary so they won't move.

16 MICHAEL GARDNER: Okay, well, why
17 don't we make arrangements for you to get a
18 chance to get a copy of this, take a look at
19 this, because I think we're not going to be
20 able to finally act on the whole application
21 this evening in any event. We'll give you

1 the chance to confer with Mr. Muehe if you
2 choose to talk about it further, and then you
3 can report back to Ms. Lint on any final
4 elaboration that you have.

5 CHARBEL SALAMEH: Okay.

6 MICHAEL GARDNER: With respect to
7 the all alcohol license, we have any evidence
8 of public need or on the service?

9 ELIZABETH LINT: Well, I have three
10 e-mails from two from people that live in the
11 neighborhood, one from outside the
12 neighborhood who indicate they've been dining
13 there since the nineties, that they think
14 it's a terrific place. It's clear that he
15 did send them a letter saying that he wanted
16 to increase the seating because one of them
17 mentions that, and they're very much in favor
18 of the upgrade to the alcohol as well as the
19 seating: It's a family warm kind of
20 welcoming environment. And we have never had
21 a problem.

1 MICHAEL GARDNER: We have sometimes
2 happened this evening seen instances where a
3 restaurant which is seeking to change,
4 upgrade or add to its alcohol capacity has
5 encouraged patrons to make their preference
6 or wishes known in terms of signing a
7 petition in support of the change. That has
8 been a way in which the Commission has felt
9 it could assess that in fact there was an
10 underserved need here or demand. And we like
11 to see such petitions.

12 CHARBEL SALAMEH: Actually, to be
13 honest, it didn't cross my mind, but I know
14 last time when we did it, we did do one and
15 then it was actually when you were talking
16 earlier to the people who just had them from
17 Cambridge, back then we were told that we had
18 too many people who weren't from Cambridge
19 signing it rather than, you know -- honestly
20 to me, I'm not going to sit there and oh,
21 where do you -- you're going to sign it, not

1 going to know you don't live in Cambridge,
2 don't sign it. But it honestly didn't cross
3 my mind to submit something.

4 ELIZABETH LINT: There's not a whole
5 lot of restaurants up in that area.

6 GERALD REARDON: No.

7 MICHAEL GARDNER: Do you have any
8 recommendations? I'm sorry, I didn't mean to
9 interrupt.

10 GERALD REARDON: No, there's the
11 Italian restaurant just on the other side.

12 CHARBEL SALAMEH: To be honest, the
13 two restaurants right on that block right
14 next to each other have changed over I
15 believe three times each in the years we've
16 been there. You know, we want to stay where
17 we are. We don't want to move. You know,
18 that's something that -- we like the
19 neighborhood. You know, just trying to add a
20 little bit more to continue to be able to
21 stay where we are rather than, you know A,

1 end up moving or B, end up leaving the city.

2 You know, you don't know where.

3 MICHAEL GARDNER: Moving from 19 to
4 49 sounds like a pretty big deal to me. Does
5 is strike you as scaling up the business in
6 any way that's going to cause you challenges?

7 CHARBEL SALAMEH: Honestly, no.
8 Last winter we did a group-on and I will tell
9 you that at the end of December when it
10 expired, it was probably the craziest I have
11 ever seen it. I mean, people were waiting
12 obviously because there was no space to eat,
13 and it was kind of after that moment we
14 really realized that we need more space, you
15 know. Does it mean that we're going to hire
16 someone? Yes. It will create -- I will
17 probably hire somewhere from two to four
18 people in that time from now until -- if it's
19 all approved and what not. Until then, you
20 know, we've looked at everything involved,
21 the garbage and we do our regular garbage

1 pick up three times a week. If we need to
2 add a fourth, we add a fourth. But I think,
3 you know, so we've looked at a lot of when
4 it's family and truly family, you invest a
5 lot of time and everything that goes into it,
6 you know, whereas you know, you have a
7 waiter, a waitress who is not family and it's
8 a big restaurant, they don't care as much,
9 you know. So I think we've looked at every
10 aspect. You know, we wouldn't have gone as
11 far as we went to get the 49 if we didn't
12 think we could handle it. You know, will
13 there always be 49 people at one time in the
14 restaurant? No, probably not. I mean, you
15 hope there is, but....

16 MICHAEL GARDNER: Okay, thank you.

17 Other questions?

18 GERALD REARDON: No other questions.
19 It's been there for he said well over ten
20 years or so.

21 CHARBEL SALAMEH: Ten, eleven years.

1 GERALD REARDON: It's very well run.
2 I go by there all the time. It has a good
3 reputation in the neighborhood. We never had
4 an issue there. It's well kept up. I'm
5 inclined to help them move forward to stay
6 there.

7 MICHAEL GARDNER: Are there any
8 members of the public who would like to be
9 heard on this matter?

10 (No Response.)

11 MICHAEL GARDNER: Ms. Lint, given
12 the way our agenda reads this evening, do you
13 have a recommendation as to what steps we can
14 take here?

15 ELIZABETH LINT: You can vote on the
16 things that were properly advertised and then
17 we will just have to re-advertise the
18 increase of seats.

19 ROBERT HAAS: Will that be done in
20 time for the November 1st hearing?

21 ELIZABETH LINT: Yes.

1 MICHAEL GARDNER: That would require
2 that hearing to actually take testimony which
3 is all right with me.

4 ROBERT HAAS: Yes.

5 ELIZABETH LINT: I think we can do
6 it.

7 ROBERT HAAS: It would be helpful I
8 think in the meantime if you could acquire,
9 you know, some demonstration.

10 CHARBEL SALAMEH: Yeah, I'll get it.

11 MICHAEL GARDNER: Yes, so I don't
12 really see the need to myself to bifurcate
13 it. I would like to see more evidence of the
14 public need or the public interest in
15 support.

16 And is this current license not for
17 value?

18 CHARBEL SALAMEH: No value.

19 MICHAEL GARDNER: It's a no value
20 license. You understand you would be
21 applying for an upgrade to a no value all

1 alcohol license?

2 CHARBEL SALAMEH: Yes.

3 MICHAEL GARDNER: Okay, so I'll make
4 the motion that we defer action on the
5 seating, and the alcohol to the November
6 1st decision hearing allowing the applicant
7 to both supply more information should he
8 choose to do so about the public need and
9 demand, also to address the concerns outlying
10 in Mr. Muehe's letter. And that at the
11 November 1st hearing proper notice be given
12 so that we can take any testimony and
13 consider the issue of the increase of seats
14 from 19 to 49. And at the same time deal
15 with the question of the outdoor patio.

16 CHARBEL SALAMEH: Okay.

17 MICHAEL GARDNER: So that's the
18 motion.

19 GERALD REARDON: Second.

20 MICHAEL GARDNER: Motion having been
21 made and seconded, all those in favor signify

1 by saying "Aye."

2 GERALD REARDON: Aye.

3 ROBERT HAAS: Aye.

4 MICHAEL GARDNER: Aye.

5 None opposed.

6 So, again I apologize for whatever
7 confusion and complication we may have
8 contributed to this, but I think we'd like to
9 deal with it as expeditiously as possible.

10 CHARBEL SALAMEH: Thank you.

11 ROBERT HAAS: So it means you may
12 have to come back to the November 1st
13 meeting.

14 MICHAEL GARDNER: Yes, at November
15 1st at two p.m. Among the things we will be
16 considering essentially for the first time is
17 the increase of seats from 19 to 49. So
18 you'll need to be prepared to talk about that.

19 CHARBEL SALAMEH: All right.

20 MICHAEL GARDNER: Even though we
21 talked about it, it hasn't really been

1 something that we've felt that we can
2 normally take action on this evening.

3 CHARBEL SALAMEH: Okay, all right.

4 MICHAEL GARDNER: Thank you for
5 clarifying that.

6 CHARBEL SALAMEH: And you'll send a
7 letter on that hearing?

8 ELIZABETH LINT: Yes, of course.

9 CHARBEL SALAMEH: All right, thanks.

10 MICHAEL GARDNER: And are you
11 satisfied that there's no need for additional
12 abutter notices? That's something you'll
13 need to look at.

14 CHARBEL SALAMEH: I'll get you a
15 copy.

16 APPLICATION: DISCIPLES, LLC D/B/A BULL BBQ

17 ELIZABETH LINT: Disciples, LLC,
18 doing business as Bull BBQ, Peter Ahn,
19 manager, holder of a common victualer
20 license, not yet issued, at 57 JFK Street,
21 basement level, has applied for a change of

1 d/b/a Bonchon.

2 MICHAEL GARDNER: Anybody here to
3 speak to that issue this evening?

4 (No Response.)

5 MICHAEL GARDNER: I just ask the two
6 Commissioners and Ms. Lint on this parents in
7 the statement that the common victualer
8 license has not yet been issued, I certainly
9 understood that we had voted a common
10 victualer license now several meetings ago,
11 so I'm not sure what the reference is. Does
12 anybody know whether they happen to be open?

13 ELIZABETH LINT: I thought they were
14 open. I thought it was several months ago we
15 sent Andrea down and the fire department had
16 been there.

17 GERALD REARDON: That was for the
18 inspection after the construction to get a
19 C-0.

20 ELIZABETH LINT: Right. And I
21 thought they opened.

1 GERALD REARDON: That was my
2 assumpti on. They were clear to open.

3 MI CHAEL GARDNER: Yes, we don' t
4 know. I think they made the representati on
5 that they were all set to open.

6 ROBERT HAAS: How do you open
7 wi thout a CV li cense?

8 ELI ZABETH LI NT: You can' t.

9 MI CHAEL GARDNER: We voted a CV
10 li cense.

11 ROBERT HAAS: But you said it' s not
12 i ssued. What' s that mean that it' s not
13 i ssued?

14 ELI ZABETH LI NT: They hadn' t pi cked
15 i t up.

16 ROBERT HAAS: So they can operate
17 wi thout pi cki ng up thei r li cense?

18 ELI ZABETH LI NT: No.

19 ROBERT HAAS: What?

20 ELI ZABETH LI NT: No.

21 MI CHAEL GARDNER: So i t' s possi bl e

1 we voted it but they didn't pick it up?

2 ELIZABETH LINT: I'm going to find
3 out.

4 MICHAEL GARDNER: All right. Well,
5 some things don't change.

6 ELIZABETH LINT: That's right.

7 MICHAEL GARDNER: All right. Well,
8 we will take no action on that.

9 Next item.

10 APPLICATION: FAMILY BUSINESS ASSOCIATION,
11 INCORPORATED

12 ELIZABETH LINT: Application Family
13 Business Association, Inc., at 101 Huntington
14 Avenue. Suite 500, Boston, Mass., has
15 applied for a charity wine license at 40
16 Edwin Land Boulevard, Royal Sonesta Hotel,
17 for an event on October 25, 2012.

18 MICHAEL GARDNER: Thank you very
19 much for your patience this evening. If you
20 could please state and spell your name for
21 the record and identify your role.

1 CATHY WATSON: My name is Cathy
2 Watson, C-a-t-h-y W-a-t-s-o-n and I'm the
3 vice president of the Family Business
4 Association.

5 MICHAEL GARDNER: So tell us a
6 little bit about this plan and also any
7 experience you've had in doing similar things
8 in Cambridge prior to this.

9 CATHY WATSON: So this is actually
10 the sixth year that we've held the award
11 program through the Family Business
12 Association. We try to throughout the year
13 honor and educate family businesses
14 throughout Massachusetts, and this is our
15 annual award program that we have to do just
16 that. So, this is -- I actually think this
17 is the sixth year as well that we've held it
18 at the Royal Sonesta in Cambridge, and I
19 think the third year -- I think it's the
20 third year we've applied for the charity wine
21 pouring license and we're thrilled to be back

1 at the Royal Sonesta again.

2 MICHAEL GARDNER: So I do remember
3 last year's application. The event go okay?

4 CATHY WATSON: It went very well.
5 Thank you for asking. We've had a lot of
6 wonderful family businesses, and I've heard a
7 lot about tonight that I think we need to
8 follow up on to see if they want to apply
9 next year. We had this year over 60
10 applicants and over 400 nominations for the
11 awards.

12 MICHAEL GARDNER: And the way this
13 works the Royal Sonesta is in fact
14 responsible for all of the control of serving
15 and --

16 CATHY WATSON: Yes. We apply using
17 their license number and then we just use the
18 wine that's donated during dinner inside the
19 main ball room.

20 MICHAEL GARDNER: And then wine is
21 or other alcohol available prior?

1 CATHY WATSON: There's a cash bar
2 that we have at a pre-reception to the
3 dinner, and then that bar stays open during
4 the dinner as well but out in the foyer.

5 MICHAEL GARDNER: And that's all
6 consistent with the Sonesta's license,
7 Ms. Lint?

8 ELIZABETH LINT: Yes.

9 MICHAEL GARDNER: Other questions?

10 GERALD REARDON: No.

11 ROBERT HAAS: No questions.

12 MICHAEL GARDNER: Any members of the
13 public who would like to be heard on this
14 matter?

15 (No Response.)

16 MICHAEL GARDNER: Seeing none, I'll
17 make the motion to approve the charity wine
18 license for the event on October the 25th,
19 2012, as described and explained here this
20 evening.

21 GERALD REARDON: Second.

1 MI CHAEL GARDNER: Do I need anythi ng
2 el se?

3 ELI ZABETH LI NT: No.

4 MI CHAEL GARDNER: Moti on havi ng been
5 made and seconded, all those i n favor si gni fy
6 by sayi ng "Aye. "

7 GERALD REARDON: Aye.

8 ROBERT HAAS: Aye.

9 MI CHAEL GARDNER: Aye.

10 Moti on carri es and good Luck wi th your
11 event.

12 CATHY WATSON: Thank you very much.

13 APPLI CATI ON: SOUTH AFRI CA PARTNERS, I NC.

14 ELI ZABETH LI NT: South Afri ca
15 Partners, Incorporated, 89 South Street,
16 sui te 701, Boston, Mass., has appl ied for a
17 chari ty wi ne li cense at 2 Cambri dge Center,
18 Cambri dge Center Marri ott, for an event on
19 October 13, 2012.

20 MI CHAEL GARDNER: Good eveni ng.

21 MARY TI SEO: Good eveni ng.

1 MICHAEL GARDNER: Woul d you be so
2 kind to state and spell your name for the
3 record and i denti fy your rol e.

4 MARY TISEO: Certai nly. Mary Ti seo,
5 T-i -s-e-o. And I am the executi ve di rector
6 of South Afri ca Partners.

7 MICHAEL GARDNER: And so coul d you
8 tell us a l ittle bi t about thi s event and any
9 experi ence you' ve had i n runni ng si mi lar
10 events i n Cambri dge i n the past?

11 MARY TISEO: We have been hol di ng an
12 annual event for the l ast four years, but the
13 three years pri or to thi s they were i n Boston
14 and they were run by a company that had i ts
15 own l icense, and we basi cal ly di dn' t have to
16 deal wi th i t. Thi s year we' re at the
17 Marri ott i n Kendal l Square and we went back
18 and forth wi th them around wi ne bei ng
19 donated, and we di dn' t real i ze actual ly unti l
20 j ust about two weeks ago that we had to come
21 and get thi s l icense. So, we apol ogi ze i f

1 we're rushing this, because our event is on
2 Saturday, and I appreciate very much your
3 letting me be here tonight.

4 And so we have wine that's donated that
5 is going to go directly to the Marriott, and
6 it will be served at a reception prior to the
7 dinner and then during dinner itself.

8 MICHAEL GARDNER: And will there be
9 a cash bar as well?

10 MARY TISEO: No, there will not. We
11 will only have wine and water that will be
12 available.

13 MICHAEL GARDNER: In your experience
14 were there any particular challenges or
15 difficulties with the event that you've run I
16 think in the last three years?

17 MARY TISEO: Yeah. No, we've
18 actually had no problems. We have a great
19 crowd. We'll have about 350 people coming.
20 But it's quite a -- we're honoring Harry
21 Belafonte this year and Carol Fulp who now

1 runs the partnership in Boston. You know,
2 it's people who are used to going to charity
3 events. And so, it will be from seven to
4 nine-thirty is our time frame.

5 MICHAEL GARDNER: And I just ask
6 Ms. Lint do you know if the Marriott's had
7 experience in running events like this in the
8 past?

9 ELIZABETH LINT: Yes, they have.

10 MICHAEL GARDNER: Other questions?

11 GERALD REARDON: None.

12 ROBERT HAAS: So, the last four
13 years this was handled by a separate entity
14 in Boston?

15 MARY TISEO: Well, we didn't do it
16 at a hotel.

17 ROBERT HAAS: You didn't?

18 MARY TISEO: We did it at the fish
19 pier one year. We were at the Moakley
20 Courthouse another year. So this is actually
21 our first year in a hotel.

1 ROBERT HAAS: Oh, okay.

2 MARY TISEO: It's a learning curve
3 for us. We didn't understand about the
4 licensing. We get wine donated -- South
5 African wine donated every year and we just
6 didn't realize the process of going through
7 this.

8 ROBERT HAAS: And it's the Marriott
9 staff that's going to manage the distribution
10 of the wines?

11 MARY TISEO: They are. The wine's
12 going to be dropped off by Martinetti,
13 Martinetti's company and then they'll pick up
14 whatever is left over. So we actually don't
15 handle the wine at all.

16 ROBERT HAAS: Okay.

17 MICHAEL GARDNER: Are there any
18 members of the public who would like to be
19 heard on this matter?

20 (No Response.)

21 MICHAEL GARDNER: Seeing none, I'll

1 make the motion to approve the charity wine
2 license for the event on October the 13th at
3 2012 at the Cambridge Center Marriott under
4 the terms and conditions as described in the
5 agenda and as discussed here this evening.

6 GERALD REARDON: Second.

7 MICHAEL GARDNER: Motion having been
8 made and seconded, all those in favor signify
9 by saying "Aye."

10 GERALD REARDON: Aye.

11 ROBERT HAAS: Aye.

12 MICHAEL GARDNER: Aye.

13 None opposed.

14 Welcome to Cambridge. We're glad
15 you've chosen to have it here.

16 MARY TISEO: May I ask one question?
17 Do we get a copy of this so that we can --

18 ELIZABETH LINT: Mrs. Watson will
19 fax the decision and the form to the ABCC
20 tomorrow. They'll fax back their approval,
21 usually the same day. So she'll be in touch.

1 MARY TISEO: Thank you so much. I
2 appreciate it.

3 MICHAEL GARDNER: Okay, good luck.
4 APPLICATION: WINDRUSH FARM THERAPEUTIC
5 EQUITATION, INC.

6 ELIZABETH LINT: Application
7 Windrush Farm Therapeutic Equitation,
8 Incorporated, at 30 Brookview Road, Boxford,
9 has applied for a charity wine license at 40
10 Edwin Land Boulevard, Royal Sonesta Hotel for
11 an event on November 3, 2012.

12 MICHAEL GARDNER: Good evening.
13 Again, if you would be so kind as to state
14 and spell your name for the record.

15 JENNIFER TARTAGLIA: Sure. It's
16 Jennifer Tartaglia, T-a-r-t-a-g-i-l-i-a.

17 MICHAEL GARDNER: And your role in
18 this matter?

19 JENNIFER TARTAGLIA: I'm the
20 marketing director at Windrush.

21 MICHAEL GARDNER: Okay. Can you

1 tell us a little bit more about this event
2 and also whether or not you've had any
3 experience running similar events in the past
4 in Cambridge.

5 JENNIFER TARTAGLIA: This is our
6 sixth year at the Sonesta, our eleventh year
7 running the event, third time appearing
8 before you guys for this license. It's
9 donated wine from Cappy's and Commonwealth
10 and it's our largest fundraiser.

11 MICHAEL GARDNER: And could you tell
12 us a little bit about the organization?

13 JENNIFER TARTAGLIA: We are a
14 equine therapy organization. We service
15 disabled kids, adults, and veterans in
16 Boxford.

17 MICHAEL GARDNER: Okay. And that
18 means in connection with horses?

19 JENNIFER TARTAGLIA: Yeah, working
20 around, with, riding, farm activities.

21 MICHAEL GARDNER: Well, then I

1 remember your application from last year as
2 well.

3 JENNIFER TARTAGLIA: Yeah.

4 MICHAEL GARDNER: And how did it go
5 last year?

6 JENNIFER TARTAGLIA: It was okay.
7 We had a professional auctioneer. He wasn't
8 the greatest. We're kind of going back to --
9 we're doing Jim Browning this year, so
10 hopefully he'll be better. We'll see.

11 MICHAEL GARDNER: And the Sonesta is
12 responsible for all the wine handling?

13 JENNIFER TARTAGLIA: Yes.

14 MICHAEL GARDNER: Other questions?

15 ROBERT HAAS: No other questions.

16 GERALD REARDON: No questions.

17 MICHAEL GARDNER: Any members of the
18 public who would like to be heard on this
19 matter?

20 (No Response.)

21 MICHAEL GARDNER: Seeing none, I'll

1 make the motion to approve the application
2 for the charity wine license for the Sonesta
3 for the event on November the 3rd, 2012,
4 according to the terms described in the
5 agenda and as discussed this evening.

6 GERALD REARDON: Second.

7 ROBERT HAAS: Motion have been made
8 and seconded, all those in favor signify by
9 saying "Aye."

10 GERALD REARDON: Aye.

11 ROBERT HAAS: Aye.

12 MICHAEL GARDNER: Aye.

13 None opposed.

14 So welcome back to Cambridge. Good
15 luck with the event.

16 JENNIFER TARTAGLIA: Thank you very
17 much.

18 GERALD REARDON: Hopefully you're
19 higher on the agenda.

20 ELIZABETH LINT: The agenda was done
21 and then they came in.

1 ROBERT HAAS: First come, first
2 serve.

3 ELIZABETH LINT: Pretty much.

4 MICHAEL GARDNER: Are there any
5 other items business before us?

6 ELIZABETH LINT: Yes, what are we
7 going to do about the hotel issue? Do we
8 have a decision of what we're going to do?

9 MICHAEL GARDNER: Well, we're going
10 to hold a new hearing.

11 ELIZABETH LINT: I know that. When?

12 MICHAEL GARDNER: Right.

13 So I understand that the fire chief is
14 not available on October the 23rd. But you
15 are available on November the 8th, correct?

16 GERALD REARDON: November the 8th.
17 I have to check that.

18 MICHAEL GARDNER: And, Commissioner,
19 you're available November the 8th?

20 ROBERT HAAS: Yes.

21 GERALD REARDON: Yes.

1 MICHAEL GARDNER: So I would make
2 the recommendation that we put the matter on
3 for November the 8th as part of the hearing
4 scheduled for six o'clock. And do any of the
5 Commissioners have any other issues or
6 concerns with respect to taking the matter up
7 again on November 8th?

8 GERALD REARDON: I'm not sure if we
9 need another clarification from our Law
10 Department on recent information that's come
11 forward. It seems to cloud some of the
12 original. I just want to be sure.

13 MICHAEL GARDNER: So as I understand
14 it, the fire chief is suggesting at the
15 minimum that we have additional communication
16 with the Law Department and see if they are
17 prepared to provide any further advice with
18 respect to communications received from
19 interested parties since the last time we met
20 with the Law Department which was, as I
21 recall, in Executive Session in January of

1 2012; right? Fair to summarize?

2 GERALD REARDON: That's correct.

3 MICHAEL GARDNER: All right. So,
4 without objection Ms. Lint and I will take it
5 upon ourselves to be in touch with the Law
6 Department to see if they have any additional
7 information.

8 ELIZABETH LINT: Well, I know I
9 would have to contact the City Manager.

10 MICHAEL GARDNER: Okay. So, well --

11 ELIZABETH LINT: Unless you want to
12 handle it.

13 MICHAEL GARDNER: I'll take it upon
14 myself to make sure that that's done
15 according to city procedure. Contact the Law
16 Department.

17 Are there any -- so I don't know, do
18 you want to vote on this or just simply take
19 administrative note that it will be on the
20 record for the 8th? Be on the agenda for the
21 8th?

1 ROBERT HAAS: I think that's it.

2 GERALD REARDON: I think.

3 MICHAEL GARDNER: Are there any
4 other business before the Commission?

5 ELIZABETH LINT: There is not.

6 MICHAEL GARDNER: We approved all
7 the minutes that are subject to approval?

8 ELIZABETH LINT: Yes.

9 MICHAEL GARDNER: Okay. Motion to
10 adjourn is always in order.

11 ROBERT HAAS: I make a motion to
12 adjourn.

13 GERALD REARDON: Second.

14 MICHAEL GARDNER: Motion to adjourn
15 having been made and seconded, all those in
16 favor of adjourning, say "Aye."

17 ROBERT HAAS: Aye.

18 GERALD REARDON: Aye.

19 MICHAEL GARDNER: Aye.

20 None opposed.

21 We've adjourned, at least by my watch,

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at 8:45 on the evening of the October the
9th. Thank you very much.

(Whereupon, at 8:45 p.m., the
License Commission Adjourned.)

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BRISTOL, SS.

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in this matter by blood or marriage and that
I am in no way interested in the outcome of
this matter.

I further certify that the testimony
hereinbefore set forth is a true and accurate
transcription of my stenographic notes to the
best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set
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Catherine L. Zelinski
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