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CAMBRIDGE LICENSE COMMISSION

License Commission General Hearing
Decision Hearing

in the

Michael J. Lombardi Building
Basement Conference Room
831 Massachusetts Avenue
Cambridge, Massachusetts

Thursday, November 1, 2012

2:07 p.m.

Michael P. Gardner, Chairman
Chief Gerald R. Reardon, Fire Department
Superintendent Christopher Burke, Police Department

Elizabeth Y. Lint, Executive Director

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HIT WICKET

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CAFE BARADA

14

TASTY BURGER

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1 P R O C E E D I N G S

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3 ELIZABETH LINT: This is a decision
4 making hearing of the License Commission. It is
5 Thursday, November 1st. It is 2:07 p.m. We are
6 in the Michael J. Lombardi Municipal Building,
7 831 Mass. Ave., basement conference room.

8 Before you is Chairman Michael Gardner,
9 Chief Gerald Reardon, and Superintendent Chris
10 Burke. I will get everybody's titles right.

11 We have just a few matters left over from
12 the October 9th hearing.

13 The first one is Ultimate Pizza & Grill,
14 application for a CD license. And there was some
15 recommendations that the Disabilities Commission
16 was making.

17 MICHAEL GARDNER: Could you state your
18 names, please.

19 ATTORNEY WILLIAM GOLDBERG: Attorney
20 William Goldberg.

21 MICHAEL GARDNER: And state your name,

1 please.

2 GURCHARAN GILL: My name is Gurcharan
3 Gill.

4 MICHAEL GARDNER: Could you just spell
5 your last name, please.

6 GURCHARAN GILL: First and the last?

7 MICHAEL GARDNER: Just the last name.

8 GURCHARAN GILL: The last name is
9 G-I-L-L.

10 MICHAEL GARDNER: Thank you.

11 So what are the issues that remain
12 from -- please have a seat. What are the issues
13 that remain, Ms. Lint?

14 ELIZABETH LINT: The only thing I
15 recall -- I am just pulling my notes up from that
16 date.

17 GERALD REARDON: Attorney Goldberg wanted
18 to check on handicap.

19 ELIZABETH LINT: The accessibility issue
20 was all that was an issue. I know they have a
21 meeting tomorrow.

1 MICHAEL GARDNER: So although typically
2 we do not take additional testimony at a decision
3 hearing, being that you are here,
4 Attorney Goldberg, I will just take an update
5 from you.

6 ATTORNEY WILLIAM GOLDBERG: Yes. I was
7 in touch with Mr. Muehe. I contacted the client,
8 as a result of which we had pictures of the --
9 what he required in order to assist the handicap
10 entrance. We needed a ramp; we bought the ramp,
11 got the bell and the signage. And I photocopied
12 the pictures and sent it to Commissioner Muehe.

13 I received a telephone call -- or an
14 e-mail, rather, which was copied to Ms. Lint,
15 which said they couldn't make the inspection
16 today, and they are going to do it tomorrow.

17 MICHAEL GARDNER: When you say
18 "inspection," are you referring to Mr. Muehe
19 doing a site visit to the location, or?

20 ATTORNEY WILLIAM GOLDBERG: I am not
21 certain it is going to be him, but I think

1 someone from his office.

2 ELIZABETH LINT: Ms. Thurman is going to
3 be there.

4 MICHAEL GARDNER: Okay.

5 Pleasure of the Commission?

6 GERALD REARDON: I make a motion to
7 approve the application for Ultimate Pizza, 251
8 Cambridge Street, with a capacity of 21, hours
9 from 11:00 a.m. to 11:00 p.m., seven days a week.

10 MICHAEL GARDNER: That is stated in the
11 agenda.

12 GERALD REARDON: In the agenda.

13 MICHAEL GARDNER: Did we have anything on
14 this, just to refresh, that had an entertainment
15 part of it?

16 ATTORNEY WILLIAM GOLDBERG: Sorry?

17 GERALD REARDON: There was no issue on
18 the entertainment.

19 ATTORNEY WILLIAM GOLDBERG: No.

20 ELIZABETH LINT: They withdrew it.

21 GERALD REARDON: Okay.

1 CHRISTOPHER BURKE: I will second that
2 motion.

3 GERALD REARDON: So I just want to strike
4 the last line of the advertisement in which it
5 talks about the tape machine/CD, because that was
6 removed.

7 ELIZABETH LINT: Yes, withdrawn.

8 MICHAEL GARDNER: All those in favor,
9 signify by saying aye.

10 (Ayes heard.)

11 MICHAEL GARDNER: None opposed.

12 Obviously, in good faith here, you are
13 going to go forward with the recommendations that
14 Mr. Muehe has made?

15 ATTORNEY WILLIAM GOLDBERG: Yes. And all
16 we need is the approval, and then we will put in
17 the equipment.

18 MICHAEL GARDNER: Thank you. Good luck.

19 ELIZABETH LINT: Sweet Lily Corporation,
20 transfer to Hit Wicket.

21 MICHAEL GARDNER: Again, Ms. Lint, if you

1 could remind us of the issues.

2 ELIZABETH LINT: This one, there was
3 quite a lot of correspondence from neighbors,
4 abutters, people behind, who wanted to have more
5 information. There was concern that they are
6 increasing the hours from the current license,
7 which actually is not true. The current licensee
8 is licensed until 1:00 a.m. whether or not they
9 are actually open until 1:00 a.m., I don't know.
10 But this licensee is requesting until midnight,
11 so it is actually less hours than what currently
12 is in existence.

13 MICHAEL GARDNER: Okay. Those of you who
14 have come forward, would you please state and
15 spell your names for the record?

16 ATTORNEY TRISH FARNSWORTH: Attorney
17 Trish Farnsworth, F-A-R-N-S-W-O-R-T-H. I am from
18 Lawson and Weitzen, and I represent the
19 licensees.

20 SHUBHA RAMESH KUMAR: I am Shubha Ramesh
21 Kumar, R-A-M-E-S-H K-U-M-A-R, manager.

1 ATTORNEY TRISH FARNSWORTH: Mr. Chairman,
2 what we had done on October 9th, we talked about
3 that this is an existing restaurant and has been
4 for years. My client is going to go in and hopes
5 to operate a restaurant. The closing hours we
6 had proposed were midnight.

7 There were two e-mails received by the
8 executive director from neighbors, the exact same
9 e-mail language from each individual, saying that
10 they just wanted to know a little bit more about
11 the operation. They were concerned with the
12 hours.

13 So I have spoken with my clients, and
14 what they are going to do first is decrease these
15 hours. So what they would like to do is Monday
16 to Wednesday, 11:00 p.m.; Thursday, 11:30 p.m.;
17 Friday and Saturday, midnight; and Sunday, 11:30.
18 So that is changed from the midnight seven days a
19 week that we had presented.

20 We did contact those neighbors, tried to
21 set up a meeting before today, and that didn't

1 work. I mean, we were available, but the
2 neighbors -- I mean, it is harder for them to
3 kind of coordinate and come together. But we do
4 have a meeting scheduled for November 7th at
5 7:30 p.m. They have asked for some documents,
6 you know, application and some information on the
7 restaurant, which we will give to them before the
8 meeting, meet with them, and, you know, work with
9 these folks.

10 Also, I wanted to let you know we did
11 file an application for an entertainment license,
12 just so it is on record. That is below
13 conversation level. The intent is not to
14 have -- I mean, this is not a sports bar. It is
15 just not that -- that should be a concern to the
16 neighbors, with, you know, noise and such, at
17 those establishment.

18 And then the other thing I just wanted to
19 point out is that a very close restaurant is
20 Puritan. I think that is going to open fairly
21 soon. And the hours there are 11:00 p.m. during

1 the week, and Friday and Saturday, midnight. So
2 we are very close to that. And there are other
3 places, too. I mean, The Druid is open much
4 later. But there are other places that close,
5 you know, somewhat earlier.

6 But I think what we are asking is
7 reasonable, and, certainly, my client is going to
8 work with these neighbors.

9 MICHAEL GARDNER: Thank you.

10 And remind us, Ms. Lint, there has been
11 an existing restaurant there for a number of
12 years?

13 ELIZABETH LINT: Yes.

14 MICHAEL GARDNER: And they have a one
15 o'clock closing time?

16 ELIZABETH LINT: 1:00 a.m. They do.

17 Can I just clarify the hours that you
18 just said you were going to decrease to? Monday
19 and Wednesday until 11:00?

20 ATTORNEY TRISH FARNSWORTH: Correct.

21 ELIZABETH LINT: Monday through

1 Wednesday. And Thursday 11:30?

2 ATTORNEY TRISH FARNSWORTH: 1130.

3 ELIZABETH LINT: Friday and Saturday,
4 midnight. And then Sunday?

5 ATTORNEY TRISH FARNSWORTH: 11:30.

6 ELIZABETH LINT: Okay. I did get it
7 right. I just wanted to make sure.

8 MICHAEL GARDNER: Pleasure of the
9 Commission?

10 GERALD REARDON: Make a motion to approve
11 Sweet Lily Corporation as stated in the agenda,
12 with the provisions and the hours as stated by
13 the attorney.

14 MICHAEL GARDNER: So as amended to?

15 GERALD REARDON: As amended to. Correct.

16 MICHAEL GARDNER: I will second the
17 motion.

18 Having done so, I am still, and I have
19 every belief -- I strongly urge you to meet with
20 the neighbors, discuss the matters with the
21 neighbors, try to cooperate as much as you can,

1 be a good neighbor.

2 ATTORNEY TRISH FARNSWORTH: Yes, of
3 course.

4 MICHAEL GARDNER: Any further discussion?

5 CHRISTOPHER BURKE: I just have the one
6 point with respect to hiring an experienced
7 manager. Have you made any movement towards
8 addressing that issue?

9 ATTORNEY TRISH FARNSWORTH: No. They
10 will do that. But the opening date is probably
11 March. So we really can't hire someone now,
12 because you would be paying them. So it is
13 closer to opening. They will have enough
14 advance. And we will back here. It won't open
15 without an approved manager. That was
16 represented at the first meeting.

17 ELIZABETH LINT: And we will also have to
18 get the entertainment application going, because
19 I have that here.

20 ATTORNEY TRISH FARNSWORTH: Right.
21 Correct.

1 ELIZABETH LINT: So that is fine.

2 MICHAEL GARDNER: So is the entertainment
3 license ripe to be voted on?

4 ELIZABETH LINT: I think you can, yes,
5 because it is just background music. I have the
6 whole thing.

7 MICHAEL GARDNER: All those in favor
8 signify by saying aye.

9 (Voices heard.)

10 MICHAEL GARDNER: Unopposed.

11 So again, welcome to Cambridge. Good
12 luck. You have challenges ahead you of, but I
13 have confidence you will deal with them.

14 GURCHARAN GILL: Thank you so much. We
15 will look forward to it.

16 ELIZABETH LINT: Cafe Barada.

17 This situation, you had asked that there
18 be more public support. We do have quite a few
19 letters from neighbors. The number of seats was
20 done correctly. There was a question about that,
21 whether or not it was or was not.

1 And there needed to be some discussion
2 with Mr. Muehe also about accessibility issues.

3 MICHAEL GARDNER: I would just ask you to
4 state and spell your name for the record, and
5 then we will just ask a couple questions.

6 CHORBEL SALAMEH: Chorbhel Salameh,
7 S-A-L-A-M-E-H.

8 MICHAEL GARDNER: Can you just update us
9 on what activities occurred since the last time
10 we met with you, sir?

11 CHORBEL SALAMEH: Actually, I am going to
12 drop this off. This is a petition we did in
13 regards to the alcohol. We also have -- I have
14 not set up a meeting with Mr. Muehe yet, but we
15 are working with our landlord and our designer to
16 somehow fix outside, as he recommended. We are
17 in that process. So that is in the works, based
18 on that.

19 And then other than that, we are just
20 awaiting approval to go forward. Not much more
21 we can do on our end until we are actually

1 approved for all of it.

2 MICHAEL GARDNER: Do we have your
3 representation that you are going to take
4 Mr. Muehe recommendations?

5 CHORBEL SALAMEH: Yes, we are going to
6 take them.

7 MICHAEL GARDNER: And implement them?

8 CHORBEL SALAMEH: Yes, to the best that
9 we can, and kind of work with him and see if, you
10 know, what we can do. I believe -- because we
11 just did not receive the letter that he had sent
12 us.

13 ELIZABETH LINT: We will get it for you.

14 CHORBEL SALAMEH: Then just based
15 on -- yes. So I guess when we get that, we will
16 know exactly what was in that.

17 MICHAEL GARDNER: Just describe to us the
18 process whereby you obtained these signatures,
19 please.

20 CHORBEL SALAMEH: Just in the restaurant.
21 We had asked customers, when they come in, if

1 they would be interested in signing and
2 supporting us through it. Nothing offered. No
3 pressure to sign it. Everyone did them on their
4 own.

5 MICHAEL GARDNER: These signatures were
6 collected over what period?

7 CHORBEL SALAMEH: About two-and-a-half
8 weeks, but that included the hurricane, of
9 course, which we were not open. And then during
10 peak hours, we actually did not ask for
11 signatures, just because it was too much to do at
12 once.

13 GERALD REARDON: Just for clarification,
14 how many outdoor seats were there?

15 ELIZABETH LINT: Twenty-four.

16 GERALD REARDON: That is the public
17 property ones? No, they are all private?

18 ELIZABETH LINT: They are all private.

19 MICHAEL GARDNER: They is my memory or
20 understanding. You are not talking about being
21 in the public way?

1 CHORBEL SALAMEH: No. It is all on the
2 building's property.

3 MICHAEL GARDNER: Pleasure of the
4 Commission?

5 GERALD REARDON: I make a motion to
6 approve Cafe Barada as listed in the agenda,
7 2269 Mass. Ave., for the outdoor seating, 24
8 seats on private property.

9 MICHAEL GARDNER: And the hours of
10 operation again? Sorry.

11 CHORBEL SALAMEH: We have -- I believe it
12 is Monday -- I am trying to think what we have on
13 it. It has been so long. I believe Monday
14 through Sunday 11:00 a.m. to 1:00 a.m.

15 GERALD REARDON: There is no change in
16 hours of operation?

17 CHORBEL SALAMEH: No.

18 ELIZABETH LINT: There is also an
19 application to upgrade.

20 CHRISTOPHER BURKE: I would ask to be
21 recused from this vote.

1 MICHAEL GARDNER: Okay.

2 CHRISTOPHER BURKE: I have a family
3 member who is an abutter. We had a conversation,
4 and she has an opinion not in favor.

5 MICHAEL GARDNER: Well, I will second the
6 motion.

7 All those in favor signify by saying aye.

8 (Voices heard.)

9 MICHAEL GARDNER: So the ayes have it,
10 two to nothing. It will clarify that
11 Superintendent Burke did not vote.

12 CHORBEL SALAMEH: And that is with the
13 alcohol and everything? All set?

14 MICHAEL GARDNER: You are all set. You
15 need to make sure that you work in good faith
16 with Mr. Muehe, obviously.

17 CHORBEL SALAMEH: Absolutely. Thank you
18 very much.

19 ELIZABETH LINT: We will get that
20 information to you in terms of the patio, what
21 the requirements are.

1 CHORBEL SALAMEH: Can I show you this? I
2 don't know if that -- this is what our --

3 (Handing document to Ms. Lint.)

4 ELIZABETH LINT: Yes. But it has to be
5 fully enclosed.

6 CHORBEL SALAMEH: Fully enclosed. All
7 right.

8 ELIZABETH LINT: It looks like the
9 planters are there, so that would be okay.

10 And the only other matter is the
11 2:00 a.m. wine and malt.

12 MICHAEL GARDNER: So would you just,
13 Ms. Lint, give us kind of the background
14 information or the context in which this matter
15 comes up?

16 ELIZABETH LINT: Okay. This has arisen
17 because an application was accepted and approved
18 for a 2:00 a.m. wine and malt, but we have never
19 created the wine and malt 2:00 a.m. category.
20 And there really is no reason that we never
21 created it, other than no one ever requested it.

1 We did a search through License Commission
2 records going back about 25 years, and we found
3 absolutely nothing.

4 MICHAEL GARDNER: And the License
5 Commission has a recommendation with respect to
6 fees on this?

7 ELIZABETH LINT: We do.

8 MICHAEL GARDNER: Again, if you could
9 just summarize what that is and how the math was
10 done.

11 ELIZABETH LINT: Oh, boy. If I can find
12 them.

13 (Gerald Reardon handing document to
14 Elizabeth Lint.)

15 ELIZABETH LINT: Oh, you have them.

16 Ms. Watson basically does a ratio. The
17 fee would be \$2,475 for transferable licenses and
18 \$4,944 for city-issued non-transferable licenses.
19 So she does the breakdown by the hours. So all
20 the categories are based on the same ratio.

21 MICHAEL GARDNER: So it is a pro rata

1 share increase?

2 ELIZABETH LINT: Yes.

3 MICHAEL GARDNER: I see we have a letter
4 in the file from the Harvard Square Business
5 Association --

6 ELIZABETH LINT: We do.

7 MICHAEL GARDNER: -- from Denise Jillson,
8 the executive director, writing in support of the
9 change.

10 ELIZABETH LINT: Yes, as well as from
11 Counselor Cheung, Counselor Toomey, and
12 Counselor Reeves.

13 MICHAEL GARDNER: And I see
14 Attorney Galluccio in the audience. Since we let
15 everybody else speak, if you wanted to, I would
16 give you the opportunity if you want to come out
17 and say anything about the matter. It is
18 entirely up to you.

19 ATTORNEY ANTHONY GALLUCCIO: I will be
20 very brief, Mr. Chairman, Superintendant, and
21 Fire Chief Reardon.

1 MICHAEL GARDNER: Could you please state
2 and spell your name for the record?

3 ATTORNEY ANTHONY GALLUCCIO: Yes. My
4 name is Anthony Galluccio, A-N-T-H-O-N-Y
5 G-A-L-L-U-C-C-I-O, with the law firm for
6 Galluccio & Watson, W-A-T-S-O-N, at 1498
7 Cambridge Street in Cambridge, Mass.

8 Very briefly, Mr. Chairman, the reason I
9 am here, I did want to just explain some of the
10 due diligence that I have gone through,
11 understanding that, initially, this was an
12 application by one particular licensee, and that
13 the matter of the category had never been vetted
14 in a public hearing.

15 I wanted to just circle back with the
16 folks that had supported the initial application.
17 There should be a letter also, by Counselor
18 Maher. And if it is not there, I have a copy of
19 it. Because, in understanding that their
20 original support was for this licensee,
21 obviously, they didn't realize that there was not

1 a category existing, nor did I. So I did just
2 want to do that due diligence and get support
3 from those folks as to the categorical change,
4 which you are considering now.

5 Obviously, the Harvard Square Business
6 Association, I will let Ms. Jillson speak as
7 well. But that is really the point of me being
8 here: To insure you that the folks who initially
9 supported the Tasty Burger application with
10 respect to their alcohol application and the
11 hours are also in support of this new category.

12 I would just say from a policy
13 standpoint, I appreciate Ms. Lint's
14 recommendation. I think the additional fees,
15 although they may be pro rata, are helpful to
16 alleviate any concerns about creating a new
17 category that would create a lot of new interest
18 without an analysis of the economics, whether it
19 makes sense to go ahead and try to increase
20 hours.

21 I also recognize that the Commission

1 would, obviously, have the same discretion they
2 currently have now, to look at geographic area
3 appropriateness of a 2:00 a.m. license, and also
4 the responsibility of the particular licensee
5 when applying for that license.

6 So I think it is a thoughtful
7 recommendation. I think the fee goes from, if
8 you had an existing license that predates a
9 certain date, it is \$2,000. The license to
10 one o'clock would be \$4,000. And if one were to
11 get -- my client is probably not as happy about
12 this as I am -- would go to about \$5,000 a year.
13 And I think that is appropriate, and it also
14 helps offset the costs of monitoring a later
15 license.

16 For me, as a licensing attorney, I think
17 it makes sense. I like to have conversations
18 with my clients, initially, about what their
19 minimum needs are. I certainly don't encourage
20 folks to apply for alcohol at all. If they
21 do -- if they are interested in alcohol as in

1 relation to their food service, I always say, "Do
2 you really need alcohol, or do you just need beer
3 and wine?" And if they say, "I just need beer
4 and wine," I say, "Then apply for such."

5 So I think this will create -- or take
6 away any incentive for applications to apply for
7 all alcohol just to get to 2:00 a.m. So I think
8 it is an appropriate category, and it certainly
9 would be helpful in my practice of encouraging
10 licensees to not apply for an alcohol license
11 that they don't need, but not preclude them from
12 going until 2:00 a.m. if it is critical to the
13 nature of their business, which, in this case, it
14 certainly is. And it is a conversation we had
15 during the initial talks, prior to even signing a
16 lease, that it is a late-night dining
17 establishment that is really dependent on
18 late-night dining, and as it relates to beer and
19 wine.

20 MICHAEL GARDNER: Thank you very much.

21 ATTORNEY ANTHONY GALLUCCIO: Thank you

1 for hearing me.

2 MICHAEL GARDNER: Thank you.

3 Pleasure of the Commission?

4 GERALD REARDON: Mr. Chair, I think I
5 have gone on record already with my thoughts on
6 this. I believe being on the Commission since
7 2000, this is an administrative oversight. I
8 don't ever recall any kind of conversation or
9 anything, regardless, of the 2:00 a.m. licenses
10 come up. Simply, as Ms. Lint has stated, it just
11 hasn't been asked for. I don't believe that this
12 type of license lends itself to many
13 establishments. It has to be in the right area,
14 the right zone, the right type of venue with some
15 sort of entertainment. And I, myself, would
16 rather see someone come and ask for a beer and
17 wine license, as opposed to having no category
18 for it and asking for all alcohol when they
19 certainly don't need it.

20 So I believe it is consistent with the
21 City Council's recommendations and the area's.

1 And again, I like to look at these on a
2 case-by-case basis, the one we particularly
3 granted. I am not saying that I would be prone
4 to grant it in all areas of the City. That is
5 probably not the case. But I think it is a
6 category that is there, for some of the areas
7 where there is 2:00 a.m., 3:00 a.m., 4:00 a.m.,
8 and all-night licenses in certain districts.

9 So I am in favor of the motion.

10 CHRISTOPHER BURKE: I would agree with
11 Chief Reardon's assessment and I would second
12 that motion.

13 MICHAEL GARDNER: We don't have any
14 all-night alcohol licenses. The last is
15 2:00 a.m., right, for alcohol?

16 ELIZABETH LINT: All alcohol? We have
17 many that are 2:00 a.m.

18 MICHAEL GARDNER: Right. But not an
19 all-night license? I am not sure. Beyond
20 2:00 a.m., you are talking more about food?

21 GERALD REARDON: Food and beverage and

1 other facilities being open, not necessarily all
2 alcohol. Obviously, we don't want that past
3 2:00 a.m. But there are other venues in there,
4 own later hours of the night and all night in
5 some cases.

6 ELIZABETH LINT: Yes, I think there is
7 only one or two 24-hour.

8 GERALD REARDON: I-HOP?

9 ELIZABETH LINT: The I-HOP.

10 DENISE JILLSON: Market in the Square?

11 ELIZABETH LINT: Yes. But we don't
12 license that. They don't have tables and chairs.

13 MICHAEL GARDNER: The Hong Kong has a
14 3:00 a.m.

15 ELIZABETH LINT: The Hong Kong has a 3:00
16 a.m., and then Hi-Fi has a 4:00. Pizza Ring has
17 a 4:00. There is a few others.

18 MICHAEL GARDNER: But all with alcohol in
19 there, too?

20 ELIZABETH LINT: Yes.

21 MICHAEL GARDNER: Okay. I am persuaded

1 the majority of the Commission is feeling this
2 initial application was appropriate, that we
3 should not deny that on the basis of the
4 category -- of the issue of not having the
5 category. I think that going forward it will be
6 interesting to see if this action has any
7 particular change in the marketplace here that we
8 hadn't fully analyzed or considered in advance.
9 But I think that, on the merits, it is
10 appropriate to go forward and make this
11 adjustment.

12 So all those in favor, signify by saying
13 aye.

14 (Voices heard.)

15 MICHAEL GARDNER: Unopposed.

16 So the new category is approved with the
17 fees as stated.

18 Since you are still here, Mr. Galluccio,
19 we will just ask, do you have a timeline for the
20 Tasty Burger now?

21 ATTORNEY ANTHONY GALLUCCIO: You can

1 speak now.

2 MICHAEL GARDNER: But only if you
3 identify yourself for the record.

4 DAVE DUBOIS: Yes. I am Dave Dubois,
5 D-U-B-O-I-S, owner of Tasty Burger. It looks
6 like we are about two weeks away right now.

7 MICHAEL GARDNER: Well, good luck.

8 DAVE DUBOIS: Thank you.

9 ATTORNEY ANTHONY GALLUCCIO:

10 Mr. Chairman, I did just want to add, because I
11 have thought too much about this policy. I try
12 to stay out of policy making, but I have given it
13 a lot of thought.

14 I would say licensing attorneys, staff,
15 and individual applicants who don't have
16 attorneys, it I think the fee -- we can do a
17 better job of telling our clients and folks about
18 the annual fees. Because I think a lot of folks
19 say, "Oh, I want beer and wine. I want alcohol,"
20 because they think it is going to miraculously
21 improve their business, which I always say it

1 won't. So if your business isn't so good now, it
2 is probably not going to get a lot better.

3 But we should tell them about that annual
4 fee so they don't want to go through the whole
5 process and then figure out that, in this case,
6 it is \$5,000, and they would say, "Oh, if I knew
7 that, I wouldn't even have applied." So that is
8 just a comment, more to myself.

9 MICHAEL GARDNER: Well, we appreciate
10 your thinking about it, because we have to deal
11 with the marketplace and the economics of it as
12 well.

13 ATTORNEY ANTHONY GALLUCCIO: Thanks,
14 Mr. Chairman.

15 ELIZABETH LINT: I think it is
16 interesting to point out also, that many, many
17 years ago, there was a policy hearing before the
18 Commission -- before I came -- about whether or
19 not there would be cordial licenses granted, and
20 there was absolutely no interest in them. So we
21 still just had the all alcohol, and the beer and

1 wine. And that was just the way that it went.

2 And now we are starting to see people coming in
3 and they want these specialized things. So I
4 think it is a good time to start kind of
5 reviewing what we do and how we do it.

6 GERALD REARDON: I think part of the
7 conundrum with the past ones is that many of the
8 drinks they were looking for weren't necessarily
9 considered necessarily a cordial, but fell under
10 the all alcohol, and it made it very difficult to
11 try to separate them.

12 ELIZABETH LINT: Yes. Right.

13 MICHAEL GARDNER: Any other business
14 before us today?

15 ELIZABETH LINT: I do not believe so.

16 MICHAEL GARDNER: Well, a motion to
17 adjourn is always in order.

18 DENISE JILLSON: Can I just say one
19 thing? I think the system really works. Because
20 Dado Tea is a very good example of this.

21 ELIZABETH LINT: That is what I was

1 thinking of.

2 DENISE JILLSON: She wanted it, she tried
3 it for a year, and it didn't work out the way she
4 thought, the economics of it. So the second
5 year, she just gave it in. So this is really
6 brilliant, because I think that, as Anthony says,
7 it is a lot of money. And if she can't make up
8 that kind of revenue in the year, she is out of
9 it. So it is great that she has that ability to
10 turn it back in.

11 ELIZABETH LINT: Yes.

12 MICHAEL GARDNER: So let the record show
13 that Ms. Denise Jillson of the Harvard Square
14 Business Association did speak and indicated that
15 a License Commission decision or process was
16 brilliant.

17 (Laughter.)

18 ELIZABETH LINT: I was hanging on that.

19 MICHAEL GARDNER: We are very
20 appreciative of her comments here today.

21 MICHAEL GARDNER: I will make the motion

1 to adjourn. All those in favor, say aye.

2 (Voices heard.)

3 MICHAEL GARDNER: All in favor. So we
4 are adjourning at approximately 2:42.

5 (Whereupon, at 2:42 p.m., the hearing was
6 adjourned.)

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COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

I, Megan M. Castro, a Notary Public in
and for the Commonwealth of Massachusetts, do
hereby certify:

That the hearing that is hereinbefore set
forth is a true record of the testimony given by
all persons involved.

IN WITNESS WHEREOF, I have hereunto set
my hand this 9th day of November, 2012.

Megan M. Castro
Shorthand Reporter

My Commission expires:

August 23, 2013