

**CAMBRIDGE LICENSE COMMISSION HEARING
CITY OF CAMBRIDGE**

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR NICOLE MURATI FERRER

ASSISTANT FIRE CHIEF GERARD MAHONEY

POLICE COMMISSIONER CHRIS BURKE

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

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

DATE: Tuesday, June 7, 2016

TIME: 5:00 p.m.

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P R O C E E D I N G S

June 7, 2016

EXECUTIVE DIRECTOR ELIZABETH LINT:

Before we get started, if anyone has a cell phone on it, please silence it.

CHAIR NICOLE MURATI FERRER: If anyone is here to give testimony with regard to the proposed changes and rules, if you could sign up and your contact information, that would be great. Even though we have the one days at the beginning of the agenda, we are going to start with the public testimony hearings so that we can get people out in a reasonable amount of time for those of you who just don't want to stay for the whole thing.

EXECUTIVE DIRECTOR ELIZABETH LINT: For your information, the meeting is being audiotaped and videotaped.

This is the License Commission agenda for

Tuesday, June 7th at 5:00 p.m. We are in the Robert W. Healy Public Safety Building, 125 Sixth Street, Community Room.

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

Is anyone here for public testimony on the proposed rules?

CHAIR NICOLE MURATI FERRER: So we'll give it another try at the end of the meeting, how about that?

EXECUTIVE DIRECTOR ELIZABETH LINT: You want to go back?

CHAIR NICOLE MURATI FERRER: Let the record show that no one wanted to speak on them. And then we'll do it later, so we'll start with No. 2.

**DISCIPLINE MATTER:
EUGENE F. LYNCH POST #30
UNITED AMERICAN VETS, INC**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Discipline matter: Eugene F. Lynch Post #30
United American Vets, Inc, 1 Cedar Street, to
respond to allegations of violations of General
Laws Chapter 138, Sections 12, 15A and 23,
General Laws Chapter 272, Section 53(b),
Cambridge Noise Control Ordinance 8.16.080, Rules
1, 15, 16, 45 and 47 of the Rules and Regulations
of the Cambridge License Commission, and Rules 1
and 2 of the License Commission's Noise Rules.
Specifically, it's alleged that on March 26, 2016
the premise was over capacity; patrons were
obstructing the public way, causing nuisance,
disturbance of the peace and public safety
issues; there was a transfer of
ownership/interest and club was being operated by
a non-member; and the club was open to
non-members. In addition, it's alleged the club
is allowing non-Veterans to join as members.

CHAIR NICOLE MURATI FERRER: Let the record reflect we have administratively dismissed the last charge, the one about the club not allowing nonveterans to join as members.

Even though there's affidavits and other papers in the file designating this as a veterans club, it has, in fact, not been designated as a veterans club with regard to the license that we've issued, and that the ABCC has approved. They are a club as in Section 12.

Thank you. Good evening. Please state your name for the record.

CRAIG MURPHY: Good evening, Commissioner. My name is Craig Murphy. I own a business down the street on McGrath Highway, and I have a been a member of this organization for over 15 years. I would like to start --

ARTHUR LUONGO: I just want to identify myself, I'm not sure I'll speak afterwards. My

name is Arthur Luongo, L-U-O-N-G-O. Robert Dustin, who is the named person on the license, is my brother-in-law. He asked me to be his spokesperson. I'm not an attorney, I'm not a legal representative. I don't know if I even have standing to speak.

CHAIR NICOLE MURATI FERRER: Okay.

Before we start with you guys, is there anyone from the fire that is going to be testifying?

If you can just come up and just grab a chair there as well.

And anyone from the Police Department here with regard to this matter?

Okay.

ARTHUR LUONGO: We also have people that were present that night, on the night in question, March 26 that would like to testify should it be necessary for them to do so.

CHAIR NICOLE MURATI FERRER: Okay. So

why don't we do this: So everyone that is going to testify, or that can reasonably anticipate that are going to testify, why don't you stand up and have Ms. Lint swear you in.

EXECUTIVE DIRECTOR ELIZABETH LINT: There will be a representative from the Police Department here within the next 20 minutes or so, Officer Levecque.

CHAIR NICOLE MURATI FERRER: Is there any way to get him in here sooner?

CRAIG MURPHY: The Commissioner will do that.

I would like to introduce you to our commander, Jean Boulanger, J-E-A-N, B-O-U-L-A-N-G-E-R; our assistant quarter master, Paul Corriveau, C-O-U-R-I -- I'm sorry, C-O-R-R-I-V-E-A-U; and you already met Arthur Luongo, and I'm Craig Murphy.

So if I can begin. I do have --

CHAIR NICOLE MURATI FERRER: Hold on one second.

Can you please swear in the witnesses, Ms. Lint?

Anyone who is going to testify, please stand up and raise your right hand.

(ALL WITNESSES, SWORN.)

Then let's start with -- I'm sorry, your name for the record and please spell it as well?

CAPTAIN ROBERT MORRISSEY: Captain Morrissey, M-O-R-R-I-S-S-E-Y, Robert.

CHAIR NICOLE MURATI FERRER: Thank you. We'll start with Captain Morrissey's testimony and then you guys can go.

Go ahead, Captain.

CAPTAIN ROBERT MORRISSEY: So on March 26 I was called to meet the police at the UAV Post on Cedar Street for an overcrowding issue.

On arrival, I witnessed probably at least

150, maybe more teenagers, on the sidewalk gathered, heading into the front entrance. I met with the police. They said the issue was on the second floor.

An officer escorted me to the second floor. The stairs were packed, basically trying to push your way in to get up to the second floor.

When I got up into the second floor, there was probably another, again, closer to 150 teenagers at which point I met with Sergeant Keough and we both, you know, discussed it was way overcrowded. A dangerous situation.

And we decided we'd shut the party down, and they -- basically an orderly evacuation of the premises.

CHAIR NICOLE MURATI FERRER: You said you observed -- I'm sorry -- did you say approximately 150 teenagers outside?

CAPTAIN ROBERT MORRISSEY: I would say at least that many outside lined up on the sidewalk, you know, trying to get in. And the stairs, you know, at least probably three individuals on each step on the way up, and basically, we had to push our way through to get to the second floor.

And then in the second floor where the party was being held, I'm guessing probably another 150 teenagers too.

CHAIR NICOLE MURATI FERRER: Did you observe any of these teenagers in possession of alcoholic beverages?

CAPTAIN ROBERT MORRISSEY: I did not, no.

CHAIR NICOLE MURATI FERRER: Can you tell us how you arrived at your estimate with regard to the number of people inside the premises?

CAPTAIN ROBERT MORRISSEY: Just a rough guesstimate. I mean, I didn't have a clicker or anything, but just looking around, taking a head

count, the size of the room.

CHAIR NICOLE MURATI FERRER: So you did do a head count?

CAPTAIN ROBERT MORRISSEY: I did a rough estimate, and it was well over the 99 posted capacity.

CHAIR NICOLE MURATI FERRER: Did you speak to anyone from the UAV that night with regard to the situation?

CAPTAIN ROBERT MORRISSEY: Right. When we were dispersing the crowd, I spoke -- I didn't get the gentleman's name at the door, and I just told him what was going on, you know, again, a life hazard situation existed, and I just explained that the party was being shut down.

CHAIR NICOLE MURATI FERRER: Did this gentleman say anything back to you?

CAPTAIN ROBERT MORRISSEY: He understood. He said, "I understand." He said that it kind've

got a lot more people than they anticipated.

CHAIR NICOLE MURATI FERRER: You referenced Sergeant Keough, is that right?

CAPTAIN ROBERT MORRISSEY: Yes.

CHAIR NICOLE MURATI FERRER: Is that a sergeant from the Police Department?

CAPTAIN ROBERT MORRISSEY: That's correct.

CHAIR NICOLE MURATI FERRER: How is it that you came to the premises that night?

CAPTAIN ROBERT MORRISSEY: I was requested by the police. I believe it may have been Sergeant Keough, I'm not sure. But they requested the Fire Department to just confirm of the situation that it was overcrowded.

CHAIR NICOLE MURATI FERRER: Do you have any questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:
I'm still waiting.

CHAIR NICOLE MURATI FERRER: Did you write a report on this matter?

CAPTAIN ROBERT MORRISSEY: I did.

CHAIR NICOLE MURATI FERRER: Have you seen the report that the captain wrote on this matter?

CRAIG MURPHY: From the Fire?

CHAIR NICOLE MURATI FERRER: Yeah.

CRAIG MURPHY: Specifically, I don't believe so. Let me double-check.

No, no, not the fire. Nope.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Captain, what was your assignment on the night in question? Where were you working?

CAPTAIN ROBERT MORRISSEY: I was the acting deputy chief in Division 2.

ASSISTANT FIRE CHIEF GERARD MAHONEY: And how long have you been a member of the Cambridge Fire Department?

CAPTAIN ROBERT MORRISSEY: 29 years.

ASSISTANT FIRE CHIEF GERARD MAHONEY: And how long have you held the rank of captain?

CAPTAIN ROBERT MORRISSEY: Eight years.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Prior to your current assignment is where?

CAPTAIN ROBERT MORRISSEY: My current assignment is Engine 4.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Prior to your assignment of Engine 4, where did you work?

CAPTAIN ROBERT MORRISSEY: I was in Fire Prevention for close to two years.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Is being a member of the Fire Prevention -- holding the rank of captain in the Fire Prevention Bureau, tell us a little about your familiarity with the rules and regulations with respect to overcrowding in places of public assembly.

CAPTAIN ROBERT MORRISSEY: Anything over a hundred occupants you should have a crowd manager.

You are supposed to have a log of what the crowd manager does, and they're supposed to keep track of how they clear the aisles and make sure the exits are not blocked. They're supposed to have a record of that.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Did anybody identify themselves at the UAV Post that night as a designated crowd manager?

CAPTAIN ROBERT MORRISSEY: No, sir.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Did anyone provide any record or log of what was taking place that night?

CAPTAIN ROBERT MORRISSEY: No.

ASSISTANT FIRE CHIEF GERARD MAHONEY: In your opinion, based on your years of experience on the fire service and particularly having

worked for quite some time in the Fire Prevention Bureau, what were your concerns with what you witnessed at a place of public assembly that night at the UAV Post at One Cedar Street?

CAPTAIN ROBERT MORRISSEY: My concerns, first of all, the building has no sprinklers. If there were any type of a fire situation, if there was a serious life hazard, probably would have been a loss of life there.

The exits, I don't know even if anyone knew where the secondary exits were.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Thank you.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Captain, if I could, you indicated that you responded as a result from the Police Department?

CAPTAIN ROBERT MORRISSEY: That is correct.

POLICE COMMISSIONER CHRISTOPHER BURKE:

What information were you provided when you were -- with respect to that response?

CAPTAIN ROBERT MORRISSEY: I received a phone call from Emergency Communications, and they explained that there was an overcrowding situation at the UAV and that the police was requesting my presence there.

POLICE COMMISSIONER CHRISTOPHER BURKE: So you responded to One Cedar Street. What did you observe when you pulled up?

CAPTAIN ROBERT MORRISSEY: As we arrived, I observed again, I'm guessing at least 150, maybe more, too, teenagers on the sidewalk, again, lined up, trying to get into the establishment.

I spoke with a police officer and they, you know, to let them know I was on scene, and they said Sergeant Keough was up on the second floor and if I could go up and meet with him.

And, again, an officer -- I didn't get his name -- escorted me basically up the stairs, trying to make our way into the second floor. It was basically trying to push people out of the way.

POLICE COMMISSIONER CHRISTOPHER BURKE:

So, as you entered the building at One Cedar Street, you observed a crowd that was in front of you?

CAPTAIN ROBERT MORRISSEY: Yes. Lined up on the stairs, in the foyer, heading up the second floor.

POLICE COMMISSIONER CHRISTOPHER BURKE:

As you were walking up the stairs to the second floor, did you have a straight shoot to go up the stairs or did you --

CAPTAIN ROBERT MORRISSEY: We had to ask people to move aside.

POLICE COMMISSIONER CHRISTOPHER BURKE:

As you reached the top of the stairs, what did you see?

CAPTAIN ROBERT MORRISSEY: Again, a large crowd, I'm guesstimating 150, maybe more, teenagers.

POLICE COMMISSIONER CHRISTOPHER BURKE: At the time that you entered the room, what was going on?

CAPTAIN ROBERT MORRISSEY: They were basically just milling around.

POLICE COMMISSIONER CHRISTOPHER BURKE: Was there any music or entertainment going on?

CAPTAIN ROBERT MORRISSEY: The music had been stopped just prior to my arrival, I believe.

POLICE COMMISSIONER CHRISTOPHER BURKE: As you entered the room, did you observe anyone sitting down or was --

CAPTAIN ROBERT MORRISSEY: Standing and sitting.

POLICE COMMISSIONER CHRISTOPHER BURKE:

As you -- did you make your way into the interior of the room? How far did you go?

CAPTAIN ROBERT MORRISSEY: I made my way probably midway into the room into the center.

POLICE COMMISSIONER CHRISTOPHER BURKE:

When you were in the center of the room, what did you observe?

CAPTAIN ROBERT MORRISSEY: A lot of teenagers just hanging out, you know, typical party atmosphere.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Did you observe any areas of the room where there was any open space?

CAPTAIN ROBERT MORRISSEY: No. Every part of the room was full.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Would you -- could you tell me how closely packed were the people in the room?

CAPTAIN ROBERT MORRISSEY: They were shoulder to shoulder. I mean, it was crowded.

POLICE COMMISSIONER CHRISTOPHER BURKE:
As you went from the entrance of the room into the center of the room, did people have to get out of your way?

CAPTAIN ROBERT MORRISSEY: Yes. And, again, the officer was polite. I mean, everyone there was polite, but it was like, you know, let the Fire Department through. And at that point, I believe we met with one of the party organizers just to explain the party was being shut down and that everyone would have to leave.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Do you recognize any police officers in the room?

CAPTAIN ROBERT MORRISSEY: I believe that officer was on site.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Okay.

CHAIR NICOLE MURATI FERRER: I'm sorry.

Are you the officer here for the hearing?

OFFICER MICHAEL LEVECQUE: They told me
it was 6:00.

CHAIR NICOLE MURATI FERRER: No worries.
Could you please swear him in, Ms. Lint?

Would you please swear him in?

(POLICE OFFICER MICHAEL LEVECQUE, SWORN.)

CHAIR NICOLE MURATI FERRER: Officer, if
you don't mind, if you can put your chair over
there so that you are with everyone and then we
can proceed?

And if you could state and spell your
name for the record and for the stenographer,
that would be great?

OFFICER MICHAEL LEVECQUE: Officer
Michael Levecque. Levecque, L-E-V-E-C-Q-U-E.

CHAIR NICOLE MURATI FERRER: Thank you.
Any more questions for the captain?

POLICE COMMISSIONER CHRISTOPHER BURKE:

None for the captain, no.

ASSISTANT FIRE CHIEF GERARD MAHONEY: I have one. Did you witness anybody smoking in the building?

CAPTAIN ROBERT MORRISSEY: I didn't see anyone smoking, no.

CHAIR NICOLE MURATI FERRER: Officer Levecque, good afternoon. If you can tell us what you observed on March 26 at the UAV that would be great, or you can read your report, however you are most comfortable.

OFFICER MICHAEL LEVECQUE: Sure. So we got a call down there originally for underage drinking on the sidewalk, so myself and my partner, Officer Katie Levesque, responded, saw a large group congregated on the sidewalk.

At that point notified our sergeant and requested backup for crowd control. And we also

coordinated with Officer Steve Allen who is the detail officer on scene. We didn't observe any evidence of underage drinking inside or outside. But at that point, it became more of a capacity, overcrowding issue more so than underage drinking.

And I'm sure you can see from the police report, we had almost every police officer in the city there as well as the State Police and Somerville Police to help with crowd control in keeping the large crowd on the sidewalks out of traffic.

And we coordinated and we requested the Fire Department to the scene to determine whether or not it was overcapacity.

And at that point, we shut the party down and assisted the crowd exiting orderly more or less.

CHAIR NICOLE MURATI FERRER: Officer, did

you enter the premises?

OFFICER MICHAEL LEVECQUE: I did.

CHAIR NICOLE MURATI FERRER: Can you tell us about your observations when you entered the premises?

OFFICER MICHAEL LEVECQUE: I mean, it appeared to be a well-behaved, but fairly crowded, pretty much shoulder to shoulder once we walked upstairs.

CHAIR NICOLE MURATI FERRER: Did you take a count of the number of people inside the premises?

OFFICER MICHAEL LEVECQUE: I didn't. And as far as I know, none of the officers on scene did.

I mean, just from our perspective, we were more interested in keeping the peace than necessarily getting a head count at that point. We didn't have the recourses necessarily to do

that.

We were trying to make sure there were no fights and everybody got on their way safely. The Police Department did not conduct a head count, to my knowledge.

CHAIR NICOLE MURATI FERRER: How long did it take you to disperse the crowd?

OFFICER MICHAEL LEVECQUE: I mean, I have like the dispatch notes in front of me. I could check what time we cleared, but, I mean, let's see.

CRAIG MURPHY: I can tell you they were called at 9:15 and they finished the job at 10:20. They did a very good job.

OFFICER MICHAEL LEVECQUE: Sounds about right.

CHAIR NICOLE MURATI FERRER: Thank you.

Did you speak to Officer Allen who was doing the detail that night?

OFFICER MICHAEL LEVECQUE: I did, yeah.

CHAIR NICOLE MURATI FERRER: What did you guys speak about?

OFFICER MICHAEL LEVECQUE: I mean, just, nothing really in particular, just about the best way to, you know, get the crowd out of here.

Officer Allen knew the organizers of the party so he was kind've the liaison between the Police Department and the party hosts, you know, and the party hosts were very good about getting the crowd to obey the police.

CHAIR NICOLE MURATI FERRER: You wrote a report with regard to this incident, correct?

OFFICER MICHAEL LEVECQUE: That's correct.

CHAIR NICOLE MURATI FERRER: For the record, can you tell me the report number?

OFFICER MICHAEL LEVECQUE: 16002025.

CHAIR NICOLE MURATI FERRER: And that

report is -- you guys have it, correct?

CRAIG MURPHY: Yes.

CHAIR NICOLE MURATI FERRER: Have you reviewed that report?

OFFICER MICHAEL LEVECQUE: Yes.

CHAIR NICOLE MURATI FERRER: Does it basically summarize your observations of that night?

OFFICER MICHAEL LEVECQUE: Yes, it does.

CHAIR NICOLE MURATI FERRER: Questions?

POLICE COMMISSIONER CHRISTOPHER BURKE: Officer Levecque, can you tell me how was this call generated?

OFFICER MICHAEL LEVECQUE: Dispatch. Sent Car 5 down there initially to evaluate underage drinking on the sidewalk. That's what we initially went there going to expect to observe, but, as I mentioned earlier, you know, we didn't observe any evidence of underage

drinking, but that wasn't our concern once we saw the crowds both inside and outside of the venue.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Were you the first marked unit to respond to this location?

OFFICER MICHAEL LEVECQUE: Yes.

POLICE COMMISSIONER CHRISTOPHER BURKE:

What did you do upon arrival? Did you summons the sergeant?

OFFICER MICHAEL LEVECQUE: I believe we notified ECC dispatch that we had a large crowd on the sidewalk, and they asked if we needed more units to which we responded yes. And I believe Sergeant Keough and Officer Hudson arrived next along with many other units.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Now, in your report, you indicate the following units arrived on scene, 10R, 13R, 15R, 11B, Car 2, Car 3, Tango 4 and Car 18?

OFFICER MICHAEL LEVECQUE: That's correct, yes, sir.

POLICE COMMISSIONER CHRISTOPHER BURKE:
So that's by staffing levels that's ten police officers who were on scene?

ARTHUR LUONGO: If it expedites it, we are more than willing to concede there were more than ten police officers on the scene and probably more than ten cars. We'll stipulate to that. There was a very large police presence for which the veterans group was very grateful, and it was all handled very well by the Cambridge Police and I think they deserve to be recognized for that.

POLICE COMMISSIONER CHRISTOPHER BURKE:
You had occasion to speak to the organizers. It indicates in your report that there's a conversation with Enrique Floramond (phonetic) who helped organize the event?

OFFICER MICHAEL LEVECQUE: That's correct, yes, sir.

POLICE COMMISSIONER CHRISTOPHER BURKE:
And Mr. Foramond stated that the turnout tonight was much larger than they anticipated?

OFFICER MICHAEL LEVECQUE: That's correct. He said they organized the event through Facebook, I believe, and the actual crowd was much larger than the number of people who indicated they were going to attend on Facebook.

POLICE COMMISSIONER CHRISTOPHER BURKE:
You provided an estimate of 150 plus teenagers on the second floor?

OFFICER MICHAEL LEVECQUE: That's correct.

POLICE COMMISSIONER CHRISTOPHER BURKE:
How did you arrive at that figure?

OFFICER MICHAEL LEVECQUE: No scientific method. Purely how long it took the crowd to

disperse from the second floor and just a general ballpark head count. I would not say it was an exact count, but it was a rough estimate.

POLICE COMMISSIONER CHRISTOPHER BURKE:

But you did indicate that the patrons were shoulder to shoulder?

OFFICER MICHAEL LEVECQUE: Yes.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Is that accurate on the second floor when you arrived upstairs?

OFFICER MICHAEL LEVECQUE: Yes, sir.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Okay. No further questions.

CHAIR NICOLE MURATI FERRER: Do you have any questions of either the captain or officer?

CRAIG MURPHY: Yes. I think the biggest question we have is just the estimate and guesstimate. You know, when we are comparing the ramifications of what is going to happen with

those estimates and guesstimates, you know, something more factual, I think, would have been better in this case here. But we do have some evidence to go and maybe help out with the count.

We acknowledge these folks were wonderful. The Police Department and Fire Department, these folks were great to us. Very, very happy.

No specific questions at this point.

CHAIR NICOLE MURATI FERRER: Okay. Go ahead with what you want to present with.

CRAIG MURPHY: Do you have any questions?

ARTHUR LUONGO: Just to reiterate, Captain Morrissey, you testified that the crowd was dispersed orderly without events, as far as you know?

CAPTAIN ROBERT MORRISSEY: Yes, as far as I know.

ARTHUR LUONGO: Officer Levecque, your

testimony is also that the crowd was dispersed in an orderly fashion without any need for arrest and I believe that's in your report?

OFFICER MICHAEL LEVECQUE: Yes.

ARTHUR LUONGO: Thank you both. As far as we're concerned, that's all our questions.

CRAIG MURPHY: Can I come up?

CHAIR NICOLE MURATI FERRER: Yes, please.

CRAIG MURPHY: This is the contract that was signed by the renter. I want to say again we're very grateful to be here in front of you, and I think after you hear our testimony, I believe it will shine a bright light on the United American Veterans that we share the same values of this Commission.

That document that you have right there is the renters telling us that it was a birthday party for a 15-year-old, and as the officer here says, it was really for a celebration of

Cambridge Rindge & Latin winning their championship and it went on Facebook and it went viral. We agree with the officer on that.

Never did we believe it was going to be anything else but a 15-year-old's birthday party. We felt there was a scam. It was a scam. But the gentleman that wrote -- who rented the hall -- and it could've been like any other scam, like a credit card scam, a home invasion scam by someone dressing as a UPS driver or someone taking advantage of the elderly.

All of these scams start with the lie and they end with a victim. The victim this time is the veterans organization in front of you now.

I also have to collaborate the letter from the gentleman who rented the hall and his name is Bryan Emmanuel Douyon.

THE REPORTER: Can you say his name again? His name is Bryan?

CRAIG MURPHY: Bryan Emmanuel Douyon,
D-O-U-Y-O-N.

ARTHUR LUONGO: I just have a question on
behalf of Mr. Dustin. I'm trusting all of these
are all being entered into the record as part of
the record?

CHAIR NICOLE MURATI FERRER: Uh-huh.

ARTHUR LUONGO: Thank you.

CHAIR NICOLE MURATI FERRER: That will be
Exhibit B.

ARTHUR LUONGO: Okay. Thank you.

CHAIR NICOLE MURATI FERRER: The first
one was Exhibit A.

CRAIG MURPHY: Great. Thank you.

ARTHUR LUONGO: I'm a little bit familiar
with this, but, again, I'm not a lawyer.

CRAIG MURPHY: So this is a renter's
contract signed by Bryan Emmanuel Douyon to rent
the hall.

We asked Bryan what the function was for and he stated the party was for his 15th birthday -- for his brother's 15th birthday.

We entered next to the "function" word on the renter's contract "dance party 15BD." We also wrote "detail needed" referring to a police detail.

On Bryan's letter, I would like to highlight we were absolutely duped, and he admits that on his letter, and I'll read that to you.

"I, Bryan Emmanuel Douyon, rented the hall on March 26, 2016. I stated the use was my little brother's birthday party. After consulting with the officers of the UAV, the following rules were put in place: No alcohol, frisk everyone, detail officer. I was told that they had other team parties at this location and these were rules adapted for a safe and successful party. In the end, the party date was

used for a March Madness party to celebrate Cambridge Rindge & Latin's successful championship run. We invited people via Facebook and it went viral. The UAV officers were caught off-guard, but between me, the detail officer and the UAV personnel, there was never more than capacity allowed into the party. Once it was apparent there was so many teens outside trying to get in and that they were getting upset that they could not get in, the police were called to help us. They entered the building to escort the teens out. The detail officer confirmed that we were within capacity. The event was shut down and I was told we could no longer have these events at this location."

I also have a letter from our assistant quarter master.

CHAIR NICOLE MURATI FERRER: Who was the member?

CRAIG MURPHY: Bryan Emmanuel Douyon who rented the hall.

CHAIR NICOLE MURATI FERRER: So he's the UAV member?

CRAIG MURPHY: Yes.

CHAIR NICOLE MURATI FERRER: How long has he been a member?

CRAIG MURPHY: Maybe about six months.

ARTHUR LUONGO: I just want to add parenthetically -- well, if I may speak on behalf of Mr. Dustin, who is the licensee, I'm a little bit forceful, in my presentation, I think "duped" is a, you know, a charitable word.

I think it was a straight-out misrepresentation this was going to be a 15-year-old's birthday party, and then somehow mysteriously it got posted on social media, which the veteran club was totally unaware, and now, you have hundreds of people showing up for what

should be a party limited to about 90 people, tops.

The club --

ASSISTANT FIRE CHIEF GERARD MAHONEY: May I interrupt you for a second?

ARTHUR LUONGO: Pardon me, sure.

ASSISTANT FIRE CHIEF GERARD MAHONEY: You just said hundreds of people showed up?

ARTHUR LUONGO: Hundreds of people showed up on the sidewalk.

The club maintains it was never overcapacity. In the actual function hall, we had a detail officer at the door who was actually controlling access and making sure that liquor wasn't brought in or weapons or whatever.

We also had the commander of the post on present -- I'm sorry -- on site that did a physical count, and at one point was told there were about 65 or 70 people upstairs, and he

directed, I believe it was the detail officer or someone else from the party function, they had let in 20 more, that's it and no more.

And he actually did a physical head count. We don't dispute there was, you know, some tumultuousness out on the street because you have all these kids that have somehow discovered this party existed on social media, and they were all trying to push their way into the hall.

But the veterans organization has great respect for the law and great value for their license. I mean, they value it highly. And their position is, it wasn't really overcapacity upstairs. Now, were the people out and about swirling on the street? Absolutely.

Did the veterans know that this was going to happen that these many people were going to show up? Absolutely not. It was represented to them as a 15-year-old's birthday party which, as

far as I'm concerned, is a straight out misrepresentation. Whether it was done fraudulently or inadvertently, the veterans organization was still duped into what the nature of -- the true nature of this party was.

CRAIG MURPHY: I think also as you go through these letters that I'm about to present, and starting with Bryan's letter, we had controls, we had a lot of controls on this particular one. This was a teen event and we knew that. There was no alcohol. There was no alcohol for teens and no alcohol for the adults. There was no alcohol and this officer saw no alcohol.

We frisked everybody, you know, and there was a detail officer, and we had other controls that I'll elaborate as I go forward.

This is a letter from our assistant quarter master, Paul Corriveau. I'll read this

one.

ARTHUR LUONGO: Mr. Corriveau is present as well.

CHAIR NICOLE MURATI FERRER: I'm sorry, before you read this, I do have a question. So when -- because I just read your contract, your member rental contract, is this -- I mean, when you rent out something, what is your policy in telling them what the rules are? Because I don't see anything here with regard to who is allowed into the party, you know, is there any guest list or anything like that?

CRAIG MURPHY: At the very, very top of that, it says our capacity is 90. Our capacity is actually 99. But we tell people it is 90. We have signs also in the hall, which I will show you, that does say the capacity is 99, but on the contract, we do say it's 90.

CHAIR NICOLE MURATI FERRER: I'm actually

not talking about that.

So when you rent the hall to someone, to one of your members, who do you rent your hall to?

CRAIG MURPHY: Mostly members, and if not a member, a sponsor.

CHAIR NICOLE MURATI FERRER: When you rent it out, do you tell them it's kind've a free-for-all, or they have to have a guest list? What is the policy in terms of what the parameters of the party that they are hosting can be, if there are any? I'm wondering.

CRAIG MURPHY: That's a good question. Paul?

PAUL CORRIVEAU: The renter has --

CHAIR NICOLE MURATI FERRER: I'm sorry, can you state your name for the record?

PAUL CORRIVEAU: Paul Corriveau.

It's basically the renter invites their

people. We don't have a list specifically who they want to invite. They invite who they want. But we do maximize what they can allow to come into the hall.

CHAIR NICOLE MURATI FERRER: So they could potentially have a party open to the public? I could rent the hall from you and post it on Facebook and anyone can come in?

PAUL CORRIVEAU: In that respect, yes.

CHAIR NICOLE MURATI FERRER: Go ahead.

ARTHUR LUONGO: If I could point out, Line 4 of the contract, "Maximum guest count must be adhered to or function will be terminated."

And, again, we are grateful for the Cambridge Police presence in terminating the party.

CRAIG MURPHY: I want to make that point. I believe it was Officer Steve Allen who actually terminated the party.

Like when this Officer Levecque went up there, the music was already stopped because the party was already shut down, so the controls were within the club.

Let me -- so going back to Paul Corriveau's letter. It says "The UAV sincerely apologizes to this Commission for any inconvenience this party created. We always strive to serve the local community -- neighborhood/community.

As we all know, teens need a place to go for their dances. We have had two prior dance parties for teens which went very well. We require a police detail for these teen parties. In addition, we want all guests to be frisked. For the party in question on March 26, these rules were in place and enforced. The party was not allowed to begin until Officer Steve Allen, Badge No. 563, arrived, which he did at 8:55.

Organizers, DJ and set-up crew were allowed in early for setup. The guests were allowed in when Officer Allen arrived. Everyone was frisked and a well-controlled entrance began and a count of all guests was made. Mr. Kelley, a member and trustee of the UAV, monitored the count of guests. He stopped the entrance of guests at 80 thus creating the overflow that went on the sidewalk.

This is not his letter. There was an overflow on the sidewalk because they were not allowed into that club. The overflow built up to 200 plus teens. At this time the Cambridge Police Department was called to help control the situation.

There seems to be discrepancy over the head count being off. We strongly disagree due to the special controls in place at this event. The controls included two UAV officers, the

renter of the hall and a detailed police officer. We were told the party was for a member's younger brother's 15th birthday party. Unknown to us the party was actually for a March Madness event that went viral on Facebook.

We no longer will allow any teen parties. In fact, we cancelled two other parties that were reserved and the monies refunded. We are also deciding on the proper punishment for the member that rented the hall.

In your letter, there was a concern that we ceded control of the hall to nonmembers/nonveterans. I understand that was dismissed, but per our bylaws, we were allowed to have non-veterans join the social members.

There is, however, always a veteran as commander, vice commander and full board of directors.

As you can see from above, we had member

controls throughout. The previous parties went well. There was our staff, including Commander Joseph Boulanger and several other member volunteers. We continue to learn the lessons of the unexpected and grow with this knowledge. The UAV has been a veteran's institution in Cambridge and in the neighborhood since the early '50s.

We would respectfully ask that this situation be excused knowing well that we have made the necessary corrections to ensure it does not happen in the future."

CHAIR NICOLE MURATI FERRER: Is anyone here from the UAV that was there that night?

CRAIG MURPHY: Yes.

CHAIR NICOLE MURATI FERRER: Who was that?

ARTHUR LUONGO: Mr. Boulanger.

CHAIR NICOLE MURATI FERRER:
Mr. Boulanger, do you mind coming up?

JEAN BOULANGER: When Officer Allen came in, I was there before he came in. And we did not allow anybody to come in except for the setup crew for the DJ and we let those people in. And it was two people and they went in. And when Officer Allen came in, then we started counting people going up. At the count of 65, I went upstairs requested a count, we did a count, went back downstairs.

CHAIR NICOLE MURATI FERRER: I'm sorry, how did you do the count?

JEAN BOULANGER: We looked around. Mr. Doyle and the lady went around and did a count, and back to me and I watched them do it, and they came back and they said, "We've got 65 people." Okay.

CHAIR NICOLE MURATI FERRER: Around what time was this? I'm sorry.

JEAN BOULANGER: That was before the

Cambridge Police got called. Must have been quarter past nine. And then I went back downstairs and told Officer Allen and Mr. Kelley, who was also outside the door counting the people. And we let in a few more people and then we stopped.

Officer Allen went outside and told the rest of the crowd that we had reached max. They had to go home. This was no party for them and then the officers showed up. The Fire Department showed up and we -- they went upstairs too. Me and Mr. Kelley were in the foyer at the time.

CHAIR NICOLE MURATI FERRER: Did you go up after Officer Levecque came in?

JEAN BOULANGER: No.

CHAIR NICOLE MURATI FERRER: Okay. Did you go up at any point that night to the second floor?

JEAN BOULANGER: I was downstairs and I

was counting people too, but -- and we were looking outside trying to figure out what was going to happen until the Cambridge officers showed up and Fire Department showed up.

CHAIR NICOLE MURATI FERRER: You didn't go up to the second floor?

JEAN BOULANGER: I didn't go up afterward.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Did you go upstairs at any point?

JEAN BOULANGER: No. The first time I went up to do the count to 65.

ASSISTANT FIRE CHIEF GERARD MAHONEY: So when you were there, you were there and people reported to you there was 65 people?

JEAN BOULANGER: Yes.

ASSISTANT FIRE CHIEF GERARD MAHONEY: You were standing physically on the second floor at that time?

JEAN BOULANGER: Second floor.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

How crowded was the room?

JEAN BOULANGER: It didn't look that crowded. Everyone was standing up. And there were only a few people that sat down at a couple of tables, that was it. To me it didn't look that crowded.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Captain Morrissey, how did you characterize the crowd when you got to the second floor?

CAPTAIN ROBERT MORRISSEY: Shoulder to shoulder.

JEAN BOULANGER: That was my impression. That's all I can say about it. And to add to that, after everything was over, the crowd was dispersed.

Officer Allen came to the office and told me everything would be all right, that we had the

proper count. So that's what I can say about it.

CHAIR NICOLE MURATI FERRER: Thank you.

CRAIG MURPHY: I guess what I would have -- I do have a letter from our commander, Jean Boulanger, who just testified and that everything that he just said is on here. I just want to add the last paragraph: "I, along with the Board, has suspended Bryan Douyon for his actions for deceiving us on this event.

We also have decided to no longer have teen events at this organization. We are updating our renters' cameras. We have already done so at the downstairs bar."

Pass this letter.

I can't really attest to the discrepancy why this fine officer saw it one way and why our commander saw it another way. I can maybe say when the police arrived and people in uniform arrived, I imagine there's lot of scittering and

scattering and perhaps that might account for it.

We had counts. We had counts.

CHAIR NICOLE MURATI FERRER: Did you speak at all to the officer that was on detail?

CRAIG MURPHY: The commander did.

CHAIR NICOLE MURATI FERRER: After this night, after this evening?

CRAIG MURPHY: Yes, I did.

Yeah, I did, actually a few times.

He wouldn't give me a letter, and he told our personnel that we were under capacity. We have fire personnel that also told our people that we were under capacity once everything settled down. They told our commander this. We never expected to have this issue. We were stopping people.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Excuse me. Who from the Fire Department told you that you were under capacity?

CRAIG MURPHY: I'm not sure we can --

JEAN BOULANGER: I didn't get any names.
I didn't take any names. I don't know.

CAPTAIN ROBERT MORRISSEY: No one on site
that night.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Captain Morrissey, who was there from the Fire
Department?

CAPTAIN ROBERT MORRISSEY: Myself and
Firefighter Wearwood (phonetic).

CRAIG MURPHY: It was a general crowd.
It was a general conversation when everything
settled down. It was -- and discussions were had
and he was there at that discussion.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
You're saying that somebody from the Fire
Department said that you were under capacity,
and, yet, the captain has testified it was only
he and the firefighter that was assigned?

CRAIG MURPHY: I could not get Officer Steve Allen to give me a letter. I'm not sure why that is. We could not get him to write us a letter. I'm so sorry. We tried. I also have a letter from our bar manager. She was downstairs. Remember the party was upstairs and there was no alcohol at the event. I'll read her's and you will know why she's here.

So Theresa Alejunas, A-L-E-J-U-N-A-S.

"To whom it concerns: I was the downstairs bartender on March 26. I am in charge of the bar downstairs and I also control who enters the club. I do this by observing a camera when someone rings a bell. I then can press a button (buzzer) that unlocks the door at which time I can observe through a window who enters.

There was a teen event that night and there was a DJ and a couple of people that wanted to set up for this event. I buzzed them in.

Later, there was some teens that arrived, but because the detail officer and chaperon had not arrived, I did not let them in. This is the policy of the club. Officer Steve Allen called me and said he was coming from another detail and would be late. I asked him to hurry up because there was a growing crowd outside.

The detail officer and chaperone arrived and the teens were allowed in. Tom Kelley was at the door counting the teens. Paul Corriveau was assisting him. The crowd was getting larger and I was asked to verify the count of people in the hall upstairs where the event was being held. I counted 65 and reported it to Tom Kelley. I saw him let a few more people in and then stopped the entry of people. Shortly after that the event was shut down."

With her letter, it just illustrates that we had controls throughout. The doors are locked

until the event starts. That's what she was doing.

I would also like to acknowledge Kim Courtney. She rents from downstairs. Kim is known to this Commission. We are grateful for her letter to us, to you.

CHAIR NICOLE MURATI FERRER:

Ms. Courtney, do you plan to testify today?

KIM COURTNEY: No.

CRAIG MURPHY: She sent in a letter. Did you receive it?

CHAIR NICOLE MURATI FERRER: Yeah, we received it. Do you want us to put this as Exhibit F?

CRAIG MURPHY: Yes, please, ma'am. Thank you.

ARTHUR LUONGO: Just --

CRAIG MURPHY: Going back to the officer's report, the police were called at 9:15

and left at 10:20. This event started and ended so quickly. It really did. It was just bang, bang, bang. We had no idea that this crowd would appear. We would never have had such a large event as this at such a small hall. We have never done this.

I would like to again pause and just appreciate the Cambridge Police Department and the Fire Department. They really did help us, and also Officer Steve Allen.

When called, the Cambridge Police showed up in force. It was terrific. I did speak with Officer Allen a few times by phone, as I mentioned before, and met him a few times prior to joining the force. Because he grew up in the area, and I think one of these officers said his knowledge of the people that were there, he was at a teen center, he organized at a teen center and he knew a lot of people trying to enter. His

relationship with these teens definitely assisted in the orderly dispersement of the teens. Again, we are so grateful.

Finally, I have a picture of the signs notifying of our capacity limit that is clearly shown at the club. And it was in place for many years prior to the event that is there now.

I also have the pictures of our door locking system that allow members to enter with a membership card.

Folks, we were scammed by Bryan Emmanuel Douyon and saved by our trustee, Thomas Kelley, Commander John Boulanger, Paul Corriveau, Officer Steve Allen, and the fantastic Cambridge Police Department. This veterans organization has served the community for over six decades without an issue remotely like this provided.

Regarding the noise, we have no evidence of the noise level and none was offered by the

police report. I tend to believe that because the dispersement of the crowd was quick and that there was probably not much opposition from the crowd, and thus, not that much noise.

In the end, we pray that you would agree that we were scammed, but always had control of our post, just like we have had for six decades. It's a remarkable record. The event was easily shut down, and with the wonderful help of the Cambridge Police, order was restored.

For this reason, we hope that you agree no disciplinary action is required.

I have nothing else.

CHAIR NICOLE MURATI FERRER: Thank you.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Just so I'm clear, your letter from Theresa Alejunas indicates she counted 65 and reported it to Tom Kelley?

CRAIG MURPHY: That's correct.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Your capacity is 99?

CRAIG MURPHY: Yes.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Then she reports "I saw him let in a few more people and then stopped the entry of people." So a "few" is that two -- is three a few or is 30 a few?

CRAIG MURPHY: She's not testifying how many is a few. But Tom Kelley and our commander was there. Paul was assisting. There was more than one person looking at this.

POLICE COMMISSIONER CHRISTOPHER BURKE:

I'm trying to get a sense, if the capacity was 99, the count was 65, why would you only let a few in?

CRAIG MURPHY: It was her statement that it was a few. We actually, according to the commander's testimony, it was 20. We had -- do

you want to elaborate on that for me?

JEAN BOULANGER: Officer Stephen was aware of the max, so we stopped letting people in short of that, like around 90, 85, 90, somewhere around there, and that's when Officer Allen went outside and explained to the crowd that we had reached maximum and everybody would have to go home, everybody outside would have to go home.

CHAIR NICOLE MURATI FERRER: The crowd outside, are you at least in agreement with what the reports say that the crowd outside was in the hundreds?

JEAN BOULANGER: Yes.

CHAIR NICOLE MURATI FERRER: They were on the sidewalks and the street?

JEAN BOULANGER: Yes. We didn't know -- it's a good thing that Cambridge Police got there, because there's no idea -- I got no idea what we could have done about it ourselves.

CRAIG MURPHY: We acknowledge their great work.

CHAIR NICOLE MURATI FERRER: Yeah. No, and I appreciate that. I was trying to wrap my brain around it.

ARTHUR LUONGO: I might lend to some understanding of this. As regards the bartender, Theresa Alejunas, you know, I don't know about Mr. Murphy, but the rest of the gentlemen associated with the club, are not on social media, we don't have smart phones, things like that. Theresa, the bartender said, "What is going on? Why so many people?"

And totally unbeknownst to us, it was put out on Facebook which was never contemplated by the veterans organization or by the members of the veterans organization. And it happened to coincide with Rindge & Latin winning the basketball tournament -- I mean, statewide

tournament. So you can just see hundreds of kids descending on the UAV. But it was only after the fact that we found out that it was on social media. The club was told "This was going to be my little brother's 15-year-old birthday party."

CHAIR NICOLE MURATI FERRER: When you found out that it was on social media, how did the gentleman post it? Did they post it as a birthday party, or did they post it as a championship game or March Madness or whatever?

ARTHUR LUONGO: My understanding, and I saw the posting -- I don't have a copy of it with me -- a March Madness party. Now March Madness is the basketball playoffs in the month of March for the colleges and universities and it coincides with the high school playoffs as well.

As far as the club is concerned, the club was snookered, absolutely snookered. Bryan has no interest in the fact that he duped us.

CHAIR NICOLE MURATI FERRER: Officer, did you say that you were the first to respond to that 911 call?

OFFICER MICHAEL LEVECQUE: That's correct. I don't know if it was a 911 call or on the business line, but a call for service.

CHAIR NICOLE MURATI FERRER: Then -- was it you or Officer Allen, based on your observations, that decided to call fire?

OFFICER MICHAEL LEVECQUE: To be honest, I don't remember who exactly decided, but, I mean, in the chain of command, I would imagine once Sergeant Keough arrived on scene, he would have been calling the shots at that point and decided to summons the Fire Department.

ARTHUR LUONGO: Just to reiterate to the Board, the club has absolutely no qualms whatsoever about the fact that the police and fire responded. The club is in, fact, grateful

and very grateful for the response and for the way it was handled.

I think the only -- we don't dispute there was a crowd on the street. I think the only issue in dispute by the club is the fact that the upstairs function hall was, in fact, not over its allotted capacity and stated capacity.

CHAIR NICOLE MURATI FERRER: I understand that. That's why I was asking questions. To me, quite frankly, it's very odd to have a captain for the Fire Department and an officer for the Police Department kind've say shoulder to shoulder approximately 150, and coincidentally, officer was kind've late into the testimony, so he didn't even hear the captain's estimate. And so the fact that they're both kind've like guesstimating, yet, we have a UAV member saying we have 65 and we allowed maybe a maximum of 20 more in. That's a pretty big difference. I get

it when it's about ten people, five people, but that's a pretty big -- you know, that's over 60 people. I mean, that's double. So I'm just trying to get that because I just don't get it, quite frankly, just from my perspective.

ARTHUR LUONGO: You know, I'm not trying to be quibblesome, but in my notes of Captain Morrissey's testimony, he says "I'm guessing." He used the word "guessing." That's just a rough estimate.

And you have Mr. Boulanger that -- who actually was upstairs at one point, did a physical count, had them do a physical count and recorded the number. And all I'm saying is that if these hearings allow the benefit of the doubt, we are asking you for the benefit of the doubt based on, you know, the eyewitness observations of Mr. Boulanger who is the post commander.

CRAIG MURPHY: And also, what really

would have been incredible, and I couldn't make this happen is, you know, we had a detail officer that knew the law and knew the capacity. I don't believe he would have broke that law.

He did tell our commander that we were under. He stopped the event because of that. There was -- you know, there was this crowd getting onto the sidewalk.

If we let these people in, there would not have been a crowd. We let them in. This thing started and ended. The event was supposed to start at 8:30. Officer Allen arrived late at 8:55. You folks were called at 9:15. The whole thing was -- I'm sorry -- 9:15. The whole thing was over at 10:20. It was a very, very, very quick event.

And, again, I could not get, even though Steven Allen mentioned to us -- and we have in the letters I provided to you -- I could not get

him to testify for or against us. And it probably would have been wonderful if you folks, knowing he was the detail officer, and it was stated in the report, I believe, could have forced him in here, I could not, being that he would have been the more key witness than this fine officer here who arrived, you know, after when everything was moving along.

We have been there for six decades, ma'am. We haven't had this happen, so some credibility has to be given for that too.

CHAIR NICOLE MURATI FERRER: Anything else?

POLICE COMMISSIONER CHRISTOPHER BURKE: No.

CHAIR NICOLE MURATI FERRER: All right. Were any of you yesterday at the premises when Fire Prevention went in?

JEAN BOULANGER: I was.

CHAIR NICOLE MURATI FERRER: Do you know what the results of that inspection were?

JEAN BOULANGER: I was told that we had one light missing downstairs, one light missing or emergency light and to get that fixed. And there was an issue with about having grills in the back of the building that were underneath the stairway and those have to be removed. That's how they -- that's what I was told.

CHAIR NICOLE MURATI FERRER: Did they talk to you at all about a sprinkler system or anything of that nature?

JEAN BOULANGER: No. They went upstairs to the hall upstairs, they looked at the first floor and they went downstairs also, but they didn't mention anything about sprinklers.

CHAIR NICOLE MURATI FERRER: Did they give you a report at all about the inspection?

JEAN BOULANGER: No.

ASSISTANT FIRE CHIEF GERARD MAHONEY: No other issues that the Fire Prevention officer spoke to you about?

JEAN BOULANGER: No, that's all they told me, sir.

ASSISTANT FIRE CHIEF GERARD MAHONEY: All right. Are you sure about that?

JEAN BOULANGER: I'm sure. I'm positive. It was two things, the lights and the grills.

CHAIR NICOLE MURATI FERRER: Did they give you that pink sheet, or is it a yellow sheet that you got? Do I get the pink one?

JEAN BOULANGER: They didn't give me anything.

CHAIR NICOLE MURATI FERRER: Did they tell you when they would give you their report on the inspection?

JEAN BOULANGER: No, they didn't.

They said "thank you" and they left.

CHAIR NICOLE MURATI FERRER: Anything else? Anything else?

ARTHUR LUONGO: No. I just want to thank the Commission for its time and consideration and just ask that you earnestly, as I know you will anyhow, earnestly consider the issue of the veterans organization and take into account that we, ourselves, were victims of misrepresentation. By "we ourselves," I mean the club.

CRAIG MURPHY: I can tell you this will not be happening again. We'll take any recommendations, but we are going to make some changes on this, but we need to do more.

This is not a fun moment for us. I know, sir, you're upset over a few things about the difference in capacity. We did have good counts, and we had an officer on duty that was watching this count.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Do

you understand why we have concerns?

CRAIG MURPHY: I understand.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Remember The Station nightclub fire?

CRAIG MURPHY: We understand.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Absent the pyrotechnics, you know why all those people died in the fire.

CRAIG MURPHY: Over crowding.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

That's right.

CRAIG MURPHY: We don't believe that happened here.

ARTHUR LUONGO: Sir, with all due respect, many members of that organization have fire and police experience and they respect --

ASSISTANT FIRE CHIEF GERARD MAHONEY:

I'm aware of that.

ARTHUR LUONGO: We don't just blow it

off.

CRAIG MURPHY: There was an officer as a detail. He was watching it too.

CHAIR NICOLE MURATI FERRER: But he was downstairs, and, you know, ultimately, I get what you're saying, but ultimately even if you have a detail whether it's fire or police, it's your responsibility as the licensee.

CRAIG MURPHY: Well, he was assisting our people.

CHAIR NICOLE MURATI FERRER: I know.

CRAIG MURPHY: We did have Tom Kelley.

CHAIR NICOLE MURATI FERRER: I know, but even so -- and I get it because sometimes we think the detail is there and they are in control, but, you know, it's really on you guys.

CRAIG MURPHY: Right.

CHAIR NICOLE MURATI FERRER: I would like to take this matter under advisement.

POLICE COMMISSIONER CHRISTOPHER BURKE:

I would agree with that.

APPLICATION:

**UNO RESTAURANTS, LLC D/B/A
UNO PIZZERIA AND GRILL**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Uno Restaurants, LLC doing business as Uno Pizzeria and Grill, holder of a common victualler all alcohol license at 22 JFK Street has applied for a change of manager to Blair Wells.

BLAIR WELLS: Good evening. I'm Blair Wells, W-E-L-L-S, B-L-A-I-R.

CHAIR NICOLE MURATI FERRER: Good evening, Mr. Wells. I note for the record that you have been the manager on a liquor license before, is that correct?

BLAIR WELLS: Yes.

CHAIR NICOLE MURATI FERRER: You had no disciplinary issues?

BLAIR WELLS: No.

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

BLAIR WELLS: I have not gone to the most recent one, which I will take on my way out. And we have alcohol training, and as managers, we're constantly updated and we have things in place to make sure the servers are aware that we're ID'ing everybody, and I do constant table visits. All our managers are to be in the dining room at all times monitoring.

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

BLAIR WELLS: Yes.

CHAIR NICOLE MURATI FERRER: Questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:

No questions.

CHAIR NICOLE MURATI FERRER: Anyone in favor?

EXECUTIVE DIRECTOR ELIZABETH LINT: Are you requiring 21 Proof?

CHAIR NICOLE MURATI FERRER: Doesn't that go out in the letter?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

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

(No response.)

Anyone in opposition to this petition?

(No response.)

Just so you know, you will be required to go to the 21 Proof training, okay?

I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

I would agree.

CHAIR NICOLE MURATI FERRER: Granted.

Thank you.

APPLICATION:
THE STUDIO AT 550, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: The Studio at 550, Inc, has applied for an entertainment license at 550 Massachusetts Avenue, 3rd Floor, for live music with amplification; dancing exhibitions; music to be played below, at, or above conversation level; and one TV/video screen.

CHAIR NICOLE MURATI FERRER: For the record, it's actually live music "without" amplification.

Good evening. Could you please state your name for the record?

CALLIE CHAPMAN: Callie Chapman,
C-A-L-L-I-E, C-H-A-P-M-A-N.

CHAIR NICOLE MURATI FERRER: Hi,

Ms. Chapman. Can you explain to us what the purpose of this license would be at this location? I'm a little confused.

CALLIE CHAPMAN: Of course. It doesn't fit into the -- we are an artist exchange in which we kind've initiate artists' exchange between disciplines, dance and music and theater and who knows what else is going to come in. And at the end of these, we have laboratories, which are just intimate, private, you know, a class, workshop-type environment. We'll have like informal showings on a Friday or Saturday night at 8:00, so that the work that was done in the laboratories can be shown during that time.

CHAIR NICOLE MURATI FERRER: Okay.

CALLIE CHAPMAN: And that's open to the public.

CHAIR NICOLE MURATI FERRER: And is this the same place that has like the -- kind've like

the partner dance lessons?

CALLIE CHAPMAN: No -- well, depending on what -- it's 550 Mass. Ave, so Teddy Shoes is on the bottom and like the tailor is on the second floor and this is the third floor.

CHAIR NICOLE MURATI FERRER: You don't have anyone else above you?

CALLIE CHAPMAN: No.

CHAIR NICOLE MURATI FERRER: And just so that I understand it because I see a whole bunch of stuff that was marked off on this application and I kind've crossed off, we're only going for dancing exhibition, live musical instruments or live vocalists without amplification, one TV or video or film projector, one audio tape and CD machine at conversation level, below conversation level, is that right?

CALLIE CHAPMAN: Correct.

CHAIR NICOLE MURATI FERRER: I think the

only thing I'm missing is your floor plan.

CALLIE CHAPMAN: I had it and they didn't want it, but I can give it to you.

CHAIR NICOLE MURATI FERRER: I need it.
Thank you.

Then this would be 2:00 p.m. to 12:00 a.m., is that --

CALLIE CHAPMAN: Yes.

CHAIR NICOLE MURATI FERRER: Seven days a week?

CALLIE CHAPMAN: Yeah.

CHAIR NICOLE MURATI FERRER: Thank you.

Any questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:
None.

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

(No response.)

Anyone in opposition to this petition?

(No response.)

I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

I would grant.

CHAIR NICOLE MURATI FERRER: Granted.

Thank you.

APPLICATION:

**COLWEN MANAGEMENT, INC. D/B/A
AC HOTELS BY MARRIOTT CAMBRIDGE**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Colwen Management, Inc doing
business as AC Hotels by Marriott Cambridge, has
applied for a new innholders all alcoholic
beverages license to be exercised at 10 Acorn
Park Drive, Duje Bozikovic, as proposed manager
of the premise described as: Four-story hotel
with 150 guest rooms; first floor licensed area
(10,683 square feet) consisting of lounge/bar,
breakfast/dining restaurant, two board rooms,
meeting room with pre-function area, outdoor

function terrace (1,094 square feet) and bar terrace (394 square feet), one main entrance and four exits with two additional seasonal exits. Licensed area, public space, hotel operations areas and six guest rooms on the first floor, 48 guest rooms on each of Floors 2 through 4. Application is also made for an entertainment license for an audio tape machine/CD/computerized digital media that can be played at conversation level and three TVs.

CHAIR NICOLE MURATI FERRER: Thank you. Good evening. Please state and spell your names for the record.

ATTY JAMES RAFFERTY: Good evening, James Rafferty, R-A-F-F-E-R-T-Y. I'm an attorney with offices at 675 Massachusetts Avenue in Cambridge.

I'm appearing this evening on behalf of the applicant, Colwen Management, Inc.

Seated to my right is Dujé, D-U-J-E,

Bozikovic, B-O-Z-I-K-O-V-I-C. And next to Mr. Bozikovic is John Mitchell, M-I-T-C-H-E-L-L.

Mr. Mitchell is vice president of operations at Colwen. And I should note that Mr. Buzikovic is the proposed manager of the hotel.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY JAMES RAFFERTY: This is an application, Madam Chair and Commissioners, for a new hotel that is under construction at the -- what probably some Commission members will recall is the old Arthur D. Little site, Route 2 in Cambridge. And it's part of a larger complex being developed by the Bullfinch Companies called Discovery Park. There are a number of office buildings out there. But as part of the PUD process approved by the Planning Board for this area, a hotel was seen as a critical element that will not only provide accommodations for business

travelers and tourists to the area, but it also will be really an opportunity for people who are living in the new Route 2 residential complex, the Vox on 2 as well as the office buildings to have a place, a restaurant right on the premises.

It's a challenging traffic situation, as we all know. So this represents a real mixed use element to the project. It's a key piece of what is envisioned as trying to transform that area into a more urban-type setting.

It has access through a well-maintained pedestrian path to the Alewife T Station, and Colwen has a successful track record in operating hotels throughout Massachusetts and beyond.

In Cambridge they are the successful operators of the Fairfield Inn by Marriott on Monsignor O'Brien Highway that has been open now.

JOHN MITCHELL: March of last year.

ATTY JAMES RAFFERTY: Christine Thomas,

who is seated behind me, Ms. Thomas is with Colwen as well, and she worked closely with the Commission and with Zoning Board in the approval of that hotel. She similarly played a lead role in the permitting of this hotel.

The AC Marriott is a new brand. It's Spanish origin named after Antonio Catalan. Mr. Catalan is a Spaniard who developed this design or this concept. There are only seven AC Marriotts in the country. This would be the eighth. There's one presently opened in Medford operated by Colwen, and in the near future, Colwen will be applying in the City of Boston in the project over at the former Boston Herald site called the Ink Block complex in the South End will also have an AC Marriott.

We are pleased that Cambridge will have something before the City of Boston has it. People come here first and Boston tends to

follow.

This is a hip and trendy hotel, so Commissioners would feel very comfortable if they were to choose to stay there. And it's going to appeal to a range of travelers.

As I said,

Mr. Bozиковic, if you had an opportunity to review his application, has been in hotel management for over ten years. Three of the venues he's worked at are Cambridge-based. He has been at the Sonesta Hotel, the Charles Hotel, and he was also at the -- well, he was at the Charles on two separate occasions. He's familiar with Cambridge. He hasn't served as a general manager, but he has been in the restaurant management and hotel management operations in those places. He's a native of Croatia, and has done very exceptionally well in the hotel and hospitality industry and he's looking forward to

opening this hotel.

He currently has an office, a trailer at the site where he's overseeing the training and hiring of staff and anticipating an opening in hopefully the fall of this year.

DUJE BOZIKOVIC: September.

ATTY JAMES RAFFERTY: Presuming we find favor with the Commission. So we are happy to answer any other questions. The plans have been submitted. It's a hotel with 150 rooms. It's going -- as I noted, it will have a restaurant and a lounge. It does have some conference facilities, meeting rooms, and I guess you could call it -- I think the floor plan depicts it as banquet-style room. Also, a patio on private property. Parking is accommodated in a ^ check cool parking facility that's in the Discovery Park complex.

And it's a new emerging neighborhood in

Cambridge. It's an appropriate place, we would suggest, to the Commission to allow for this use and this operator to do business.

CHAIR NICOLE MURATI FERRER: Is this being done through a management agreement?

ATTY JAMES RAFFERTY: Yes. Colwen, as noted in application, Colwen has a lease with the hotel owner.

CHAIR NICOLE MURATI FERRER: With the SXC Alewife? We don't have the management agreement and we'll need that.

ATTY JAMES RAFFERTY: It's technically a lease. We provided you a copy of the lease. It's a lease that runs between Colwen and SXC and we submitted that as part of the application. It's not a management per se. It's -- and the payments are based on a lease structure. And we have provided the ownership information for all the principals of SXC, I believe.

CHAIR NICOLE MURATI FERRER: Yeah, I did see that. I just wanted to make sure. It's not built yet, so we don't have the specific information as to where the entertainment, like the TVs are going to be set up and stuff.

ATTY JAMES RAFFERTY: Perhaps. But I'm looking at the floor plan. I imagine --

CHAIR NICOLE MURATI FERRER: I would assume they're at the bar/lounge area, but --

ATTY JAMES RAFFERTY: The way Ms. Thomas plans everything down to the smallest detail, I'm going to guess that on the floor plan it might even be depicted.

CHAIR NICOLE MURATI FERRER: I didn't see it, but I'm having problems with my contacts.

ATTY JAMES RAFFERTY: I'm saying if you would like, we could certainly amend the plan, but I'm guessing they're behind the bar?

DUJE BOZIKOVIC: There is one --

ATTY JAMES RAFFERTY: Maybe we could mark that floor plan.

CHAIR NICOLE MURATI FERRER: Yeah, yeah, absolutely. Only because we'll need it according to -- we asked for it in the application and the entertainment application, and it's signed that it was submitted specifically designating where they are. So I just wanted to make sure that we do have it for the record.

DUJE BOZIKOVIC: There should be one at the bar between --

ATTY JAMES RAFFERTY: Could he initial that location?

CHAIR NICOLE MURATI FERRER: Yeah, absolutely. You can just initial there.

ATTY JAMES RAFFERTY: Put TV and your initial.

CHAIR NICOLE MURATI FERRER: It just said Item No. 2 in the questionnaire for the

entertainment says: "Has the corporate applicant filed a floor plan showing the exact location for each license/entertainment?"

It says "Yes," so we'll need it.

ATTY JAMES RAFFERTY: No, I understand it. We're happy to provide it.

CHAIR NICOLE MURATI FERRER: You can provide it once it's built. I'm just saying we'll need it eventually before you open so that --

ATTY JAMES RAFFERTY: Upon the issuance of the license? Well, then we could --

CHAIR NICOLE MURATI FERRER: Yeah, yeah, you don't need to submit it now. I'm just saying when it's all finished up and you're coming -- provided that we approve you to get your license, then we'll need the updated floor plan.

And, Mr. Bozиковic, I did notice in your record, you have extensive experience in the

hotel management business, but you have never been the actual manager of record, is that correct?

DUJE BOZIKOVIC: Correct, yes.

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

DUJE BOZIKOVIC: Yes.

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

DUJE BOZIKOVIC: I do.

CHAIR NICOLE MURATI FERRER: Are you a Massachusetts -- or you a US citizen?

DUJE BOZIKOVIC: Yes, I am.

CHAIR NICOLE MURATI FERRER: Oh, I did

see you have a 1:00 a.m. closing, is that just for your food, obviously, because the innholder is open 24/7, but you have the 1:00 a.m., is that for the food, or are you planning to stop serving alcohol at 1:00 a.m.?

DUJE BOZIKOVIC: 1:00 a.m. would be the closing of the establishment.

CHAIR NICOLE MURATI FERRER: The bar? Lounge? Okay.

DUJE BOZIKOVIC: Lounge.

ATTY JAMES RAFFERTY: The restaurant too.

CHAIR NICOLE MURATI FERRER: So it's for the food and alcohol that's what you're proposing?

DUJE BOZIKOVIC: Correct.

ATTY JAMES RAFFERTY: May I just consult?

CHAIR NICOLE MURATI FERRER: Yeah, you can consult with your client. Consult away.

ATTY JAMES RAFFERTY: The 1:00 a.m. -- to

amend the prior answer, the 1:00 a.m. restriction would apply to when food service terminates.

CHAIR NICOLE MURATI FERRER: And then the proposal would be the 2:00 a.m. for the alcohol.

ATTY JAMES RAFFERTY: For the alcohol service.

CHAIR NICOLE MURATI FERRER: No room service?

DUJE BOZIKOVIC: No room service.

CHAIR NICOLE MURATI FERRER: I did notice the Spanish flair in the menu, so I did get their thing, Mr. Rafferty.

POLICE COMMISSIONER CHRISTOPHER BURKE: Hip and trendy.

CHAIR NICOLE MURATI FERRER: Yeah, I guess. I don't know that many. Seemed pretty sure.

ATTY JAMES RAFFERTY: Not a term typically associated with myself, but I

understand others value that type of combination.
There's still thankfully the Gateway Motor Inn I
can send my in-laws to.

CHAIR NICOLE MURATI FERRER: Do you know
more or less when you're planning for
construction to be finished?

ATTY JAMES RAFFERTY: September?

DUJE BOZIKOVIC: Planning to open in
September.

CHAIR NICOLE MURATI FERRER: Yeah, I did
see the anticipated opening of July 1 and I was
like unh-unh.

All right. Anyone in favor of this
petition?

(No response.)

Anyone in opposition to this petition?

(No response.)

I would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

I would to vote to grant as well.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY JAMES RAFFERTY: Thank you very much.

APPLICATION:
CATALYST CAFE, LLC D/B/A
CATALYST CAFE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Catalyst Café, LLC doing business as Catalyst Cafe, has applied for a common victualler License at 75-125 Binney Street with a proposed seating capacity of 46 inside and six seasonal patio seats on the private property with proposed hours of 7:00 a.m. to 7:00 p.m. seven days per week, William Kovel as proposed manager of record. Premise is described as 2,159 square feet restaurant with dining room and kitchen, located on the first floor. Seasonal outdoor seating on private property. An application has also been made for an entertainment license to

include background music at conversation level.

ATTY JAMES RAFFERTY: Good evening, Madam Chair, members of the Commission, James Rafferty on the behalf the applicant.

Seated to my right is William Kovel, K-O-V-E-L. Mr. Kovel is the principal of Catalyst Cafe and the name, hopefully, is familiar to the Commission, because Mr. Kovel is the owner/operator of Catalyst Restaurant located on Main Street. He has been a licensee here in the city now for five years.

Catalyst is a very successful full-service restaurant in the Kendall Square area.

His landlord, Alexandria Property, at Tech Square, where he currently is, is building a new building on Binney Street, and was looking for an operator to come in and serve more of a casual business that would be more focused on

lunchtime and breakfast activity, and Mr. Kovel has decided to operate Catalyst Cafe, a cafe version which would hopefully trade on the success and the brand value that's been associated with Catalyst Restaurant in the area and it will serve the work force that's emerging along Binney Street at this location. This is one of several new life science buildings constructed along Binney Street.

Again, as part of the Planning Board permits approving the development of this street, there's an emphasis and priority in the zoning and special permits approved by the Planning Board to active ground floor uses and this cafe certainly would fit that definition.

Mr. Kovel, himself, has extensive experience in the restaurant industry, and in this case, his application is fairly straightforward in that he's really looking to

operate a full-service cafe, but not an alcohol-based menu. It's a just a common victualers license.

CHAIR NICOLE MURATI FERRER: I did have a question with regard to the occupancy. I have two different applications, and I have in one the total occupancy at 99 and the other one 55.

ATTY JAMES RAFFERTY: I think the 55 might be a mistake.

I think the 46 is the proposed seating. It's anticipated that it would have a take-out component as well. So I'm not sure where we came up -- I see that 55 number, and I apologize for that, but -- it's 55 for seating, but occupancy is 99. I thought we went over this.

There's an area -- if you count the number of seats or the seating as depicted on it, there's eight at the counter, there's 46 at tables and the balance is standing. There's also

six on an outside private patio that we included.

CHAIR NICOLE MURATI FERRER: In the floor plan I have, it has a total number of interior seats 40 and total number of exterior seats 46, so the proposed seating capacity would be 40, yes, or do we need a new plan?

ATTY JAMES RAFFERTY: Well, I think that plan in seating does not include the counter seats. Is that -- so the Chair is correct. The capacity is 40, not --

I apologize. The application I'm looking at says eight seats at a lunch counter. That's in error.

CHAIR NICOLE MURATI FERRER: We have 40 seats inside, yes?

ATTY JAMES RAFFERTY: 40 seats inside.

CHAIR NICOLE MURATI FERRER: Six outside?

ATTY JAMES RAFFERTY: Yes.

CHAIR NICOLE MURATI FERRER: And the

total occupancy -- because you said you have a --
you're assuming you will have some people
standing waiting for food, is that --

MR. KOVEL: Yes.

CHAIR NICOLE MURATI FERRER: So I'm
assuming that's where you got the 55, so 40
inside and 55 in total because you have 15 people
maybe waiting around or whatever?

ATTY JAMES RAFFERTY: Right.

CHAIR NICOLE MURATI FERRER: Do you mind
coming up here?

ATTY JAMES RAFFERTY: It just dawned on
me. I realize what happened. There was a CV
license that was approved a few months ago at
this location. And they have this capacity and
they did -- they were going to be an Italian
place from Waltham.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Camella's?

ATTY JAMES RAFFERTY: No. Now, it was Dominick's, and he's known for homemade bread and all that. But for a variety of reasons he elected not to. I think there may have been cross-pollination between the CV application. We represented that applicant as well. It's possible that we created some confusion here. I apologize.

CHAIR NICOLE MURATI FERRER: That's okay. I have the proposal to lease, but I don't have the lease. Do you have a copy of the lease yet or no?

ATTY JAMES RAFFERTY: It hasn't been executed yet, but we can provide a notice. They are working on the final terms.

CHAIR NICOLE MURATI FERRER: If you can provide that to us. Once that's completed, that would be great. Thank you.

I do note Councillor Toomey filed a

letter in support of this application and also
Mr. Patrick McGee on behalf of the East Cambridge
Business Association.

Any questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:

No questions.

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

(No response.)

Anyone in opposition to this petition?

(No response.)

So I would vote to grant pending receipt
of the lease.

ATTY JAMES RAFFERTY: Lease, okay, or a
notice of lease, I presume?

POLICE COMMISSIONER CHRISTOPHER BURKE:

Proof.

ATTY JAMES RAFFERTY: Thank you.

CHAIR NICOLE MURATI FERRER: Thank you.

**APPLICATION:
HSA FOOD PARK, LLC
D/B/A NACO TACO**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: HSA Food Park, LLC doing business as Naco Taco, holder of a common victualler all alcohol license at 297 Massachusetts Avenue has applied for an entertainment license to include dancing by patrons, live musical instruments and/or vocalists with or without amplification, karaoke, DJ and four TVs.

CHAIR NICOLE MURATI FERRER: Good evening.

ATTY JAMES RAFFERTY: Good evening, Madam Chair, James Rafferty again on behalf of the applicant. Seated to my right is Alex Tannenbaum, T-A-N-N-E-N-B-A-U-M. Mr. Tannebaum is the manager of record and the principal of the LLC, HSA Food Park. Mr. Tannebaum has operated now for a little over a year. The Naco Taco

restaurant on Mass. Ave, it's kind've a unique physical setup. The kitchen itself is located in a retrofitted trailer, if you will, because of the nature of the lease. The landlord wasn't prepared to make a big capital investment in the kitchen. But it has become a very popular Central Square location, particularly popular with the work force in the nearby Novartis and Forest City complex workers. It's just down the street from Miracle of Science and the Middlesex Lounge, but it's a particular popular venue in the warm weather because it has an opportunity -- it has an outside seating area that proves to be very popular.

What the applicant is seeking is to be able to, as you can see by the application, to have entertainment that would include dancing and live music.

It's a location that I would suggest

would be somewhat conducive to that because there are no residents in close proximity. Most of the abutters are either industrial or commercial uses. And the type of entertainment being proposed would fit well within the demographic of employees, the patrons, and it was Mr. Tannebaum's sense that they are -- in the marketplace there are limited places in the greater Central Square area for dancing. There are places where there are music performances, but there was a point in time when Cambridge had far more live entertainment. So he believes there's an appropriate appetite and demand for this, and the venue he's operating there could accommodate it as well. So he's before the Commission tonight asking for approval.

CHAIR NICOLE MURATI FERRER: And just so that I'm clear, the dancing and everything, that that would be inside?

ATTY JAMES RAFFERTY: All the entertainment is proposed to be inside the structure, yes.

CHAIR NICOLE MURATI FERRER: Current capacity you have 90 inside and 82 outside, is that correct?

ALEX TANNENBAUM: The inside capacity is 180 according to the bathroom fixtures of the Building Department.

CHAIR NICOLE MURATI FERRER: Oh, sorry. I'm sorry. So you have -- wait.

I have you with seating at the bar of 26 and 64 in the dining area, is that right?

ALEX TANNENBAUM: That's about right, yeah, in terms of actual seats.

CHAIR NICOLE MURATI FERRER: And then the rest standing?

ALEX TANNENBAUM: Yes.

CHAIR NICOLE MURATI FERRER: You said how

much?

ALEX TANNENBAUM: The actual capacity is 180, I believe it is. That was based on bathroom fixtures for a restaurant.

CHAIR NICOLE MURATI FERRER: I have the patio at 82. I don't have your full file, I only printed out what we have.

ALEX TANNENBAUM: On the original filing there was a typo with the original filing and then it got amended, and so maybe there's a difference there, too, but you're right on for the actual seating, and it's just the total capacity inside was 180, outside was 82. I think that's what it was, that was a separate capacity.

CHAIR NICOLE MURATI FERRER: When you're providing this -- so what is it that you're proposing to do in terms of like the dancing and whatnot? Are you going to have that throughout the night, or are you planning on taking out

seats at some point? What exactly is the plan here?

ALEX TANNENBAUM: So in the section indicated on the floor plan, we want the opportunity for very special events, a lot of people proposed, whether it's a monthly thing or weekly thing, we remove the seating just in that one section. That's really the only section it's good for.

CHAIR NICOLE MURATI FERRER: So the floor plan you submitted, that's the section where it says "temporary live" so that right now has seats in it?

ALEX TANNENBAUM: Yes.

CHAIR NICOLE MURATI FERRER: So what you're thinking is that when you do have the events, you pull it out and then people can --

ALEX TANNENBAUM: Exactly. We have done not live entertainment, but we have removed seats

from there. It's a very large space.

ATTY JAMES RAFFERTY: They have received a series of one-day entertainment licenses to accommodate this, so it's in that corner of the building where they can accommodate it.

CHAIR NICOLE MURATI FERRER: Would you have bands and stuff like that?

ALEX TANNENBAUM: We have had proposals for a DJ. For bands, we would use the same system that we have -- you know, the same radio system we have in place, all connected to the fire alarm system, and the shunt relay it's called, but, yeah, that is basically the idea.

CHAIR NICOLE MURATI FERRER: And then the remainder of the seats would stay in place?

ALEX TANNENBAUM: Yes.

CHAIR NICOLE MURATI FERRER: So I'm trying to understand, are you going to turn after a certain hour into a nightclub, or are you

keeping like just the dancing for people that love to dance all the time regardless of whether you hold a dancing license or not?

ALEX TANNENBAUM: Some music to be played in the background. People have asked us if we ever want to do a jazz brunch.

CHAIR NICOLE MURATI FERRER: Like Ryles and stuff like that?

ALEX TANNENBAUM: To accommodate that without having to go through the one-day applications all the time.

ATTY JAMES RAFFERTY: But as a fixed piece of business, it's not like you will have dancing every weekend?

ALEX TANNENBAUM: No. I don't even know if we will ever. Maybe at some point. Just to keep the options open.

ASSISTANT FIRE CHIEF GERARD MAHONEY: I have a question about this particular location.

It appears to be adjacent -- is that an entryway or an emergency exit? What is that?

ALEX TANNENBAUM: This is our -- that's the double door main entrance.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
That's the main entrance?

ALEX TANNENBAUM: Yes.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Is there anything that would partition this dance area? Is there like a wall there, or is there a glass wall or something?

ALEX TANNENBAUM: There's not. It's open to the rest of the restaurant.

ATTY JAMES RAFFERTY: Does the Commission have the copy with the seats on it too?

CHAIR NICOLE MURATI FERRER: No, I don't have that.

ATTY JAMES RAFFERTY: That will help you understand. As I said, it's the equivalent of an

alternative floor plan. The floor plan will primarily be with the tables and chairs on the occasion when they would have the dancing, but I think Mr. Tannenbaum's statement is that the tables and chairs only come out for dancing, not the band. The band would be in the front rectangle. That's where he put it before.

CHAIR NICOLE MURATI FERRER: Where the other two things are?

ATTY JAMES RAFFERTY: Yeah. The only time -- so the more likely use of the entertainment license would be for the band, which would necessitate the moving of the tables and in the rectangle the so-called stage area.

CHAIR NICOLE MURATI FERRER: This side one?

ATTY JAMES RAFFERTY: Yes. And the larger space would accommodate dancing on the few times that might occur and that would involve

removal of those tables.

CHAIR NICOLE MURATI FERRER: So I will defer to the fire experts on this, but I will caution you, if we do approve this, when you do have the band in that area -- I saw this a lot in Boston -- you have a lot of people congregating here, and they end up blocking your entrance, and because you're right next to the entrance, you're really going to have to put someone there to make sure they are moving it along and not standing right in front of the band because that can be a huge problem, you know, not only a safety issue, but that's where problems brew as well.

ALEX TANNENBAUM: Sure.

CHAIR NICOLE MURATI FERRER: Any questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:
Can you talk about the floor, the dance floor itself? Is it the same material that the rest of

the floor is made of?

ALEX TANNENBAUM: That's right, it's wood, over -- I don't know the construction term.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Like a laminate?

ALEX TANNENBAUM: Wood laminate type material kind've thing. One of those really sturdy kind of cleanable fakish wood.

ATTY JAMES RAFFERTY: Kind've like a vinyl?

ALEX TANNENBAUM: Kind've like a vinyl.

CHAIR NICOLE MURATI FERRER: Any other questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:
No.

CHAIR NICOLE MURATI FERRER: Questions?

ASSISTANT FIRE CHIEF GERARD MAHONEY:
No.

CHAIR NICOLE MURATI FERRER: Anyone in

favor of this petition?

(No response.)

Anyone in opposition to this petition?

(No response.)

I vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

I would grant as well.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY JAMES RAFFERTY: Thank you.

APPLICATION:

450 KENDALL HOSPITALITY

D/B/A LAUNCH

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: 450 Kendall Hospitality, Inc doing business as Launch, holder of a common victualler all alcohol license at 450 Kendall Street has applied for a change of doing business as to Glass House, change of manager to Thomas Shea, and change of Sunday alcohol service from 11:00 a.m. to 10:00 a.m. application.

CHAIR NICOLE MURATI FERRER: Good morning -- good evening. Can you state your name for the record?

ATTY DENNIS QUILTY: Good Evening, Madam Chair. Dennis Quilty. I'm an attorney in Boston at McDermott Quilty & Miller, 28 State Street.

THE REPORTER: Counsel, spell your last name?

ATTY DENNIS QUILTY: Q-U-I-L-T-Y.

And with me is Tom Shea, the proposed manager of record. With us, seated behind us, is Austin O'Connor, who is one of the owners of the enterprise and who will be featured on the next application. I know the Chairwoman is familiar with these gentlemen with their locations in Boston.

CHAIR NICOLE MURATI FERRER: Good evening. Why are we changing the d/b/a? What is happening?

THOMAS SHEA: When we first came in, we weren't a hundred percent sure who we wanted to be, but after a lot of consulting and gyrations, we came up with a name called Glass House instead of Launch.

CHAIR NICOLE MURATI FERRER: But nothing else is changing?

THOMAS SHEA: Nothing else is changing.

ATTY DENNIS QUILTY: Except the request for the brunch at 10:00.

CHAIR NICOLE MURATI FERRER: I was going to ask that. That's to serve in conjunction with brunch at 10:00 a.m.?

THOMAS SHEA: Yes.

CHAIR NICOLE MURATI FERRER: Mr. Shea, I note for the record that you have been the manager on a liquor license before and had no disciplinary issue, is that correct?

THOMAS SHEA: Absolutely.

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

THOMAS SHEA: Yes. I'm a proud graduate of 21 Proof.

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

THOMAS SHEA: Yes.

CHAIR NICOLE MURATI FERRER: Still a US citizen?

THOMAS SHEA: Yes, I am.

CHAIR NICOLE MURATI FERRER: Any questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:
No questions.

CHAIR NICOLE MURATI FERRER: Anyone in

favor this petition?

(No response.)

Anyone in opposition to this petition or petitions?

(No response.)

I vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Granted.

CHAIR NICOLE MURATI FERRER: Granted.

APPLICATION:

450 KENDALL HOSPITALITY, INC.

D/B/A K2 CAFE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: 450 Kendall Hospitality, Inc doing business as K2 Cafe, has applied for a common victualler License at 500 Kendall Street with a proposed seating capacity of 79 inside and 24 seasonal patio seats on the private property with proposed hours of 7:00 a.m. to 5:00 p.m. Monday

through Friday, Austin O'Connor as proposed manager of record. Premise is described as 2,790 square feet in one room on ground floor with dining area, storage, kitchen, and restrooms. Seasonal outdoor seating on private property. An application has also been made for an entertainment license to include background music at conversation level and two TVs.

CHAIR NICOLE MURATI FERRER: Good evening.

ATTY DENNIS QUILTY: Good evening again. Dennis Quilty, attorney at McDermott Quilty & Miller at 28 State Street in Boston.

With me this evening is Austin O'Connor, the proposed manager of record, and Tom (sic) Bennett.

THE REPORTER: I'm sorry, can you state and spell his name again?

ATTY DENNIS QUILTY: Tom (sic) Bennett.

TOM BENNETT: T-O-D-D, Todd. Todd
Bennett, B-E-N-N-E-T-T.

AUSTIN O'CONNOR: And Austin O'Connor,
O-C-O-N-N-O-R.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY DENNIS QUILTY: This would be
somewhat of a companion, Madam Chair.

This location became available during
their discussions around the Launch now Glass
House site from the same landlord who is anxious
to have a food service only application for the
office workers in the area and they were pleased
to take a fairly close by -- immediately close by
and would be a cafe that would primarily serve
the workers in the buildings and residents, of
course if they wanted to come on the weekends for
lunches and breakfast and things of that nature.

We do have a proposed menu which we filed
with the plans. We did reach out to the Planning

Council -- East Cambridge Planning Team rather, on this having dealt with them on the early app. They did not require us to come see them on the CV application.

CHAIR NICOLE MURATI FERRER: I'm assuming because you're catering to the business community, that's why you're closed on the weekends, yes, or are you not closed?

AUSTIN O'CONNOR: The Sunday hours, yeah.

CHAIR NICOLE MURATI FERRER: It's Monday through Friday, right, or are you intending to be open on the weekends?

AUSTIN O'CONNOR: Not at this point.

CHAIR NICOLE MURATI FERRER: 7:00 a.m. to 5:00 p.m.?

AUSTIN O'CONNOR: Right.

CHAIR NICOLE MURATI FERRER: If you don't mind taking the floor plan here and just indicating to me where you have -- or where

you're proposing to put the TVs only because --

ATTY DENNIS QUILTY: You might want one that actually shows the outside seating.

CHAIR NICOLE MURATI FERRER: If you have it.

AUSTIN O'CONNOR: I have one here.

CHAIR NICOLE MURATI FERRER: And the seasonal patio is on private property? This is all private?

ATTY DENNIS QUILTY: I noticed, apparently, the plan we filed didn't show it. On the outer edge, we'll show you here.

AUSTIN O'CONNOR: Do you want me to initial those as well?

CHAIR NICOLE MURATI FERRER: Yes, please.

Any questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:
None.

CHAIR NICOLE MURATI FERRER: Anyone in

favor of these petitions?

(No response.)

Anyone in opposition?

(No response.)

Okay, I vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

I agree, I vote to grant.

CHAIR NICOLE MURATI FERRER: Granted.

Thank you.

ATTY DENNIS QUILTY: Madam Chair, it's a pleasure seeing you. Congratulations on your appointment.

CHAIR NICOLE MURATI FERRER: Thank you.

**APPLICATION:
SEASON TO TASTE CATERING
D/B/A SEASON TO TASTE**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Season to Taste Catering, LLC doing business as Season to Taste, holder of a common

victualler wine and malt beverages License at 2447 Massachusetts Avenue has applied for an alteration of premise to add an outdoor seasonal patio on public property. Proposed new premise description is kitchen and dining room in an open space. Seating for 20, 160 plus or minus square feet patio on the public sidewalk with eight seats. Applicant has also submitted an application to expand the current closing hour from 10:30 p.m. to 11:30 p.m.

ATTY SEAN HOPE: For the record, Sean Hope, Hope Legal Law Offices in Cambridge.

We are here tonight on behalf of the proprietor and manager of Season to Taste, LLC, Mr. Robert Harris.

As listed in the application, we are applying for outdoor seating, which includes four tables and eight seats, as well as to extend the closing hours by one hour to 11:30.

In preparation for the application, we reached out to our neighbors and abutters. In addition to the notifications, we actually had an abutter who had some questions about the operation and change of hours. There was a meeting between Mr. Harris and the neighbor really to just clarify. They have been open for five years, but oftentimes when you're seeking outdoor seating, especially on this stretch of Mass Ave, there's always issues of both rodents and trash and other things.

Even though there's not a material change to the restaurant, there was a conversation that was had. Because of the extended hearing time, we had an opportunity to reach out to the North Cambridge Stabilization Group, Mr. Michael Brandon's group that's further down Mass Ave. Mr. Harris went there, and there was some dialogue exchanged, again, not focusing

necessarily on the outdoor seating or change of hours, but the overall operations.

In one of these images, there's a proposed awning that's not subject to this application, but as part of the facade improvements, and so there was some suggestion about ways to improve that awning and some of the facade as well as general comments about the restaurant. I think they did submit a letter at least nonopposition. They approved it.

CHAIR NICOLE MURATI FERRER: Yeah, I don't know. I haven't received anything. We did receive an email from Emily Holman (phonetic). And she's basically in support of the time, but not in support of the patio because she says the sidewalk is too narrow, and it's very hard and she talked about how she walks there all the time because her kids go to the Horizon Daycare and that it's too narrow in terms of what is being

proposed, but that's the only thing we received in terms of an opposition or support for this application.

EXECUTIVE DIRECTOR ELIZABETH LINT: Madam Chair, we received an email, since we are sitting here tonight, and it came a little while ago.

CHAIR NICOLE MURATI FERRER: Well, we received it as we are in the hearing and I have not seen it.

EXECUTIVE DIRECTOR ELIZABETH LINT: From North Cambridge Stabilization Committee. They support the application under -- on the condition that the Goldstar Road residents don't object to it.

ATTY SEAN HOPE: I think we could categorize that as a letter of support because we don't have any opposition from the members of Goldstar Road. I would like to categorize it as that.

But specifically speaking, towards the width of the sidewalk, we did have DPW come out in preparation of this application. They did do a site visit to ensure that we had proper clearance as well the grade for ADA guidelines and that was part of the application and they approved this application. I can't speak to --

CHAIR NICOLE MURATI FERRER: Do you have their sign-off by any chance, on that?

ATTY SEAN HOPE: I believe --

CHAIR NICOLE MURATI FERRER: I don't have it in the file.

ROBERT HARRIS: The gentleman that came out and we spoke and he said yes, I don't know if there's official --

ATTY SEAN HOPE: Yeah, and licensing inspection form, I know we have to get ISD's sign-off.

EXECUTIVE DIRECTOR ELIZABETH LINT: So it

would have to go in front of the City Council to be approved by the Council to be on the sidewalk, and once that approval is received, then you have to go to Public Works, pay whatever the fee is and obtain a sidewalk obstruction permit.

ATTY SEAN HOPE: Yeah, in our experience, we make sure they do a site visit so we don't go down the process finding out they don't have the proper grade. So Wayne came out and took a look and gave us the -- but there was no actual sign-off at this point, but prior to going to City Council, we'll figure in the form that the city -- that the clerk requires but we did have that inspection done prior to this --

CHAIR NICOLE MURATI FERRER: I was just wondering if you had done something because -- I could see what her complaint is. And I was just wondering if you had something in terms of where it's being proposed.

And I see that you're proposing here the patio to be against the building, is that correct?

ROBERT HARRIS: That's correct. He said that too much stuff, bike stuff and plans to have it next to the road.

CHAIR NICOLE MURATI FERRER: I think you may want to talk to them again. I know the city is now pushing for these patios to be on the curbside. I don't know exactly when that site visit happened.

ROBERT HARRIS: It was like two and a half months ago.

CHAIR NICOLE MURATI FERRER: So I think the tides are turning in terms of that.

So you may want to kind've double-check and see how that would affect in terms of the application and whatnot.

ROBERT HARRIS: Okay.

CHAIR NICOLE MURATI FERRER: It's probably something that's going to come up just as an FYI. What is the nature of the change in hours, the extension of hours?

ROBERT HARRIS: Essentially to have a third seating. We're a small restaurant. It's just 20 seats. It turns out we have been very successful, and there's been a need to have folks come in for a third seating essentially. So we feel like adding the extra time, it allows us to do essentially another 30 -- you know, serve up to potentially 50 people in a night.

CHAIR NICOLE MURATI FERRER: Any other questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:
No.

CHAIR NICOLE MURATI FERRER: I want to take this under advisement so we can read whatever came in terms of stuff and then vote on

it, that's how I would prepare dealing with it.

POLICE COMMISSIONER CHRISTOPHER BURKE:

I agree with that.

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

EXECUTIVE DIRECTOR ELIZABETH LINT: I can check, too, to see if there are any comments.

CHAIR NICOLE MURATI FERRER: I did have one question. In your application, you have your hours here from 5:30 to 10:30 -- 11:30?

I have in your license right now 10:30 to 10:30, but you're not open in the morning?

ATTY SEAN HOPE: Yeah, I think, initially, there was an idea of wanting to open for breakfast and I think that there was -- except for the brunch on Sundays, there was not a good market for that. So that the application -- 5:30 to 11:30 p.m. is the proposed hours.

CHAIR NICOLE MURATI FERRER: Okay. Do

you want to vote on the hours and --

POLICE COMMISSIONER CHRISTOPHER BURKE:

Sure.

CHAIR NICOLE MURATI FERRER: You know what, we'll read everything that came in and just --

ATTY SEAN HOPE: Point of clarification, in terms of taking it under the advisement, would there be another hearing date?

CHAIR NICOLE MURATI FERRER: We're just -- we wouldn't take public testimony. We're meeting on June 17 at 8:30 to vote on administrative matters, so it would be taken up then.

ATTY SEAN HOPE: Great.

CHAIR NICOLE MURATI FERRER: Thank you.

APPLICATION:

T.O.M.I BROTHERS, INC.

D/B/A BLUE FIN RESTAURANT

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Transfer of the common victualler
all alcoholic beverages license held by T.O.M.I.
Brothers, Inc doing business as Blue Fin
Restaurant, at 1815 Massachusetts Avenue to
JC.N.A, Inc doing business as Wafuya, at same
location, Aya Tano, proposed manager of record.
The proposed hours are 10:30 a.m. to 1:00 a.m.
seven days per week with a seating capacity of
80. Application has also been made to pledge
said license. The premise is described as 2,433
square feet with three exits, double door
entrance inside the mall, exit in kitchen, old
entrance/main, kitchen area, sushi counter,
waitress counter, four dining areas.

CHAIR NICOLE MURATI FERRER: Good
evening.

ATTY ANDREW UPTON: Good evening, Madam
Chair and Members the Board. Andrew Upton,
U-P-T-O-N, representing the applicant.

With me is Aya Tano, A-Y-A, T-A-N-O, the proposed manager of record. With us also are co-owner Carlos Vidal and Nobu Tano.

THE REPORTER: Counsel, you need to spell their names.

ATTY ANDREW UPTON:

J-U-A-N-hyphen-C-A-R-L-O-S, Carlos Vidal, V-I-D-A-L, and Nobu Tano, N-O-B-U, T-A-N-O.

THE REPORTER: Thank you.

CHAIR NICOLE MURATI FERRER: Thank you. Go ahead.

ATTY ANDREW UPTON: Thank you. This is an application to transfer a liquor license as part of a change of ownership at the Blue Finn Restaurant in Cambridge in the 1815 Porter Square complex formally known as the Sears building owned by Lesley University. It's going to change location. The management plan is to operate the restaurant with no changes, so essentially they

will take over when and if approved and do exactly the same thing.

They do have a longer term version to change it into a more lively Izakaya-style restaurant where the menu will be different, the floor plan will be slightly different, the concept will be different.

But their goal is to take over the current operation get up and running for three to six months exactly as-is, and they're aware if there's any changes in the concept, the name, they have to come back in the future.

But I just wanted to let you know that's in the offing, and that's sort've the catalyst for the transfer.

The current operator has been there for many, many years and they are looking to get out and sell. And they have asked Carlos and Nobu, both of whom worked at the restaurant in the

past, to take it over.

So Nobu Tano will be co-owner and head chef, and Aya Tano will be the manager, both veterans of several Japanese restaurants in the greater Boston area and worked at Blue Finn, as I said.

Co-owner Juan-Carlos Vidal, is the owner of the successful Japanese fast casual Cafe Mami in the Porter Exchange, which is literally probably 30 feet from this proposed location inside the same building. He's also the owner of Izakaya Ittoku in Allston, which holds a liquor license and has been a good operator and member of the community.

Aya will be the manager of record. She's been a server and has worked with her husband in two different restaurants. She's a US citizen and an Arlington resident. She's familiar with the sale and service of alcohol in Cambridge and

in Massachusetts.

She's a proud graduate of the 21 Proof program, as is Mr. Vidal. They just finished a couple weeks ago.

Mrs. Tano has been home with her two children for several years and is looking forward to getting back to working with her husband who will be the chef/co-owner.

The current menu is Japanese featuring sushi and will continue until we make a transition into a different style of Japanese, which I can give you some detail on, if the Board is interested, and the eventually the restaurant will be updated.

This location has had a liquor license for many years. Tavern on Porter holds a liquor license at a location on the outer edge in the same building, will serve as an anchor restaurant to the ground floor which has numerous small

restaurants.

Lesley University is the landlord and wants an anchor restaurant in that space. I have a letter from our landlord expressing both support and attestation to the character and fitness of Mr. Vidal who has been operating for them for several years. They know Carlos as the operator of Cafe Mami, they recruited him essentially to take over the Blue Finn because the owners need to sell.

Because the Blue Finn has been continuously operating for several years, we believe there will be no impact -- increased impact on the neighborhood in terms of noise, traffic, light, rowdiness or any potential negatives. There's plenty of parking in the rear of the building and there's been commercial use for many decades so we don't expect any impact on the community.

CHAIR NICOLE MURATI FERRER: Does the letter address the hours because I see that under a lease they limit the hours from 11:30 to 10:00 p.m.?

ATTY ANDREW UPTON: I asked them about that when I saw the contradiction between that. And they said they are fine with the hours as applied.

CHAIR NICOLE MURATI FERRER: Okay.

To confirm, it will be -- the hours will be 11:00 a.m. to 12:00 a.m. or are they 10:30 to 1:00 a.m. because your CV and entertainment license also have different hours and I'm trying to --

ATTY ANDREW UPTON: Our goal is to be open from 10:30 to 1:00.

CHAIR NICOLE MURATI FERRER: Okay. Would that also be the case in terms of your entertainment license and CV license?

ATTY ANDREW UPTON: Yeah, we would like to harmonize that across the board.

CHAIR NICOLE MURATI FERRER: So why don't I give that back to you. You can make the changes here, and then while we're at it, on the entertainment license, I saw the floor plan, there's a total of four TVs, is that correct?

ATTY ANDREW UPTON: Yes, I think they're marked on the floor plan.

CHAIR NICOLE MURATI FERRER: Yeah, if you can put it on the first page of the application, Mr. Upton, that would be great.

Ms. Tano, you have never been a manager on a liquor license before, correct?

AYA TANO: Yes.

CHAIR NICOLE MURATI FERRER: So you went to 21 Proof, I heard?

AYA TANO: Yes.

CHAIR NICOLE MURATI FERRER: Are you

familiar with the rules and regulations of the
this Board, the ABCC and the laws of the
Commonwealth of Massachusetts with regard to the
sale and service of alcohol?

AYA TANO: Yes.

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

AYA TANO: Yes.

CHAIR NICOLE MURATI FERRER: Are you a US
citizen?

AYA TANO: Yes.

CHAIR NICOLE MURATI FERRER: There's a
pledge associated with this, is that right,
Mr. Upton?

ATTY ANDREW UPTON: There is. In order
to induce the new owners to take over the old
owners are funding part of the purchase price.

CHAIR NICOLE MURATI FERRER: Anyone in

favor of this petition?

(No response.)

Anyone in opposition to this petition?

(No response.)

POLICE COMMISSIONER CHRISTOPHER BURKE:

No questions.

CHAIR NICOLE MURATI FERRER: I vote to
grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Approved.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY ANDREW UPTON: Thank you very much.

APPLICATION:

SLAWDOG LLC D/B/A STATE PARK

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: SlawDog, LLC doing business as
State Park, holder of a common victualler all
alcoholic beverages license at One Kendall
Square, Building 300, has applied for a new

stockholder, transfer of stock, and pledge of stock.

ATTY DAVID LIPSUTZ: Good evening, Madam Chair and Members of the Board. My name is David Lipshutz, Seegel Lipshutz & Lo, 80 Williams Street, Wellesley, Mass, L-I-P-S-H-U-T-Z.

We're here on multiple matters. I'm with Rachel Miller Munzer, one of the owners, Alon Munzer and John Kessen sitting behind us.

THE REPORTER: Counsel, you have to spell their names for the record. I'm sorry.

ALON MUNZER: Alon, A-L-O-N. Last name is M-U-N-Z-E-R.

RACHEL MILLER-MUNZER: Rachel, R-A-C-H-E-L, Miller, M-I-L-L-E-R space Munzer, M-U-N-Z-E-R.

JOHN KESSON: John, J-O-H-N, Kessen, K-E-S-S-E-N.

ATTY DAVID LIPSHUTZ: With respect to

SlawDog doing business as State Park, there was a change in ownership.

The shares of Barry Maiden were purchased by the three owners sitting with me, three of the owners, and then their shares were subsequently redistributed, sold, to three other current owners who are owner/operators and a fourth owner/operator, Kevin Harrison, became an owner. He's also an owner of Mamaleh's or RJHeart.

So the big picture of this plan is that all the owner/operators of all three entities that are holders of license will be equal owner/operators.

As far as a change in officers, SlawDog's an LLC, Barry Maiden has been removed as the manager and the managers will remain Rachel Miller Munzer, Alon Munzer and John Kessen will remain manager.

In our new operating orders will come on

as members. Three were already members and the fourth is a new one, but they won't be managers. Change in stock percentage ownership in the entity is going from 17.88 percent to 12.36 percent.

CHAIR NICOLE MURATI FERRER: So Tyler, I assume, will be the big addition to this?

ATTY DAVID LIPSHUTZ: No, Kevin Harrison.

Rachel's son has always had a small ownership piece on the operating side. She was an original investor, okay? So they have been with this entity since the beginning, so no change, no effective change in operation or control of the business.

CHAIR NICOLE MURATI FERRER: Everything else stays the same?

ATTY DAVID LIPSHUTZ: Yes. There's also -- and consistent with what we'll talk about at some point tonight, there was additional

financing for RJHeart, which is Mamaleh's, soon to open. Cambridge Trust is required a pledge, not of the license, but of the membership interests of the seven owners. Everybody is responsible for the debt.

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

(No response.)

Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:
I would grant.

CHAIR NICOLE MURATI FERRER: Granted.

**APPLICATION:
RJHEART, LLC D/B/A MAMALEH'S**

EXECUTIVE DIRECTOR ELIZABETH LINT:
Application: RJHeart, LLC doing business as

Mamaleh's Delicatessen, holder of a common victualler all alcoholic beverages license at One Kendall Square, Building 300, has applied for an Alteration of Premise Description, new stockholder, and transfer of stock. The proposed premise is described as five-story building, first floor to be licensed for 96 seats in two rooms, and kitchen (3,508 square feet), basement for private dining for 18 seats in one room and storage (2,604 square feet), one entrance, two exits. Total square feet is 6,212.

CHAIR NICOLE MURATI FERRER: I have a lot of questions on this one.

ATTY DAVID LIPSHUTZ: There's the plan.

CHAIR NICOLE MURATI FERRER: Right off the bat, are you removing the outdoor patio?

RACHEL MILLER MUNZER: No.

CHAIR NICOLE MURATI FERRER: Okay. So I think -- did you bring me an updated --

ATTY DAVID LIPSHUTZ: Yes.

CHAIR NICOLE MURATI FERRER: Do you have it there, Elizabeth?

EXECUTIVE DIRECTOR ELIZABETH LINT: Which?

CHAIR NICOLE MURATI FERRER: The updated premises description.

EXECUTIVE DIRECTOR ELIZABETH LINT: I put it in the file. It's in the order that it should be.

CHAIR NICOLE MURATI FERRER: Hold on. You can start, counsel.

ATTY DAVID LIPSHUTZ: My name is David Lipshutz, L-I-P-S-H-U-T-Z, Seegel Lipshutz & Lo, 80 Williams Street, Wellesley. To my right is Rachel Miller Munzer, Alon Munzer and John Kessen.

So this was a purchase of a license, which was approved a number of months ago. As we

have gotten into the renovation, there was a decision to bring additional investors and additional financing and funding renovation and retire existing debt.

So part of this application is to bring on additional investors, many of which are investors in prior licenses meaning Dip Dog, Hungry Mother, which we'll talk about, and SlawDog, State Park.

So there's a continuity. These investors have no management control, say, in any way over the operation of the premises.

Again, Cambridge Trust has requested an assignment of membership interests in the entity from the -- from the seven operating owners so it's consistent with what we discussed with SlawDog a couple moments ago.

I think the more important piece of this is the addition and change of the outdoor patio

space which we're talking about, and I'm going to turn that piece over to Rachel.

CHAIR NICOLE MURATI FERRER: Before you continue, because there is where I'm a little confused, what exactly are we changing in terms of the alteration of premises because I'm looking at the new one that you submitted and I'm looking at the Form 43 when this license was approved and they're identical?

RACHEL MILLER MUNZER: When we submitted our application, we originally submitted it as -- so the way the space is, is there's an upper patio and a lower patio down in the plaza at One Kendall Square. We're on the -- we're half a story up on that level. So right outside our front door there's space deeded to us that we can put tables and chairs.

Additionally, on the lower patio, there's another space that's allotted to us. When we

took over the premise, they were in the middle of a very large construction project installing the elevator in the plaza.

So our -- where our patio is going to land was sort've unknown at that point. We figured that what -- when we put our plan together, what we thought we would do is put more tables and chairs on the lower patio where -- wherever it landed.

As we were going through the plans, we -- they changed. Time changed. We figured out where our patio was going to end up which was a little bit different, and we went back to -- we looked back on what the former operator had done with West Bridge which was to have more of an outdoor bar area and thought that would be a better fit for what was going on down there.

So the change of premise is as opposed to just tables and chairs. What we would like now

is essentially we're considering it like another room, another bar area of our property where people can go have a drink, stop by after work.

CHAIR NICOLE MURATI FERRER: Okay. I don't mean to be a stickler on this, I'm just trying to figure it out. So right -- the way -- you have an upper level and lower level outdoor patio, correct?

RACHEL MILLER MUNZER: Yep.

CHAIR NICOLE MURATI FERRER: And based on the attachment that I see here, the lower patio is the one that you're kind've switching up a little bit?

RACHEL MILLER MUNZER: Correct.

CHAIR NICOLE MURATI FERRER: Then the lower patio will have what you call a light-hearted island theme enclosed area?

RACHEL MILLER MUNZER: Yes.

CHAIR NICOLE MURATI FERRER: Is that

meant to be open annually?

RACHEL MILLER MUNZER: Seasonally.

CHAIR NICOLE MURATI FERRER: And then you're going to have a bar in that patio, is that what --

RACHEL MILLER MUNZER: Yes.

CHAIR NICOLE MURATI FERRER: Are you also adding like a fixed bar?

ALON MUNZER: It won't be fixed to the ground. We will be able to take it in and out after the season is over.

CHAIR NICOLE MURATI FERRER: During the season, it will be fixed where you have it?

ALON MUNZER: Yes.

CHAIR NICOLE MURATI FERRER: This is the lower patio?

RACHEL MILLER MUNZER: So if you -- where it says "Building 300" that's where Mamaleh's is. And then this is overlooking -- we overlook this

little area.

CHAIR NICOLE MURATI FERRER: This is your lower patio?

RACHEL MILLER MUNZER: This is the lower patio.

CHAIR NICOLE MURATI FERRER: This is not the upper patio?

RACHEL MILLER MUNZER: No.

CHAIR NICOLE MURATI FERRER: Counselor, if I may suggest something, maybe tomorrow what you do is you submit to us the description of the alteration that's actually attached to the petition for change of license, and you add that portion to your description of premises on the five-page application only because I can tell you this: The ABCC is gonna look at this and they are gonna look at this and they are going say "That's two different things. What in the world is happening?" You're going to have the same

thing, but it's gonna take them three months rather than one hearing. Okay. I would literally copy and paste that as an explanation of -- yes.

ATTY DAVID LIPSHUTZ: As an attachment to the application?

CHAIR NICOLE MURATI FERRER: Yes. So, you know, you gave us a two-page document that's attached to a petition for change of license, and here I would also -- the alteration of premises, that description of alteration I would literally cut that and paste it right here where you're talking about your seasonal outdoor patio and paste it right there because I think that will make clearer because the description on this application should be the same that's on here.

And right now, this description is the same as you're currently approved, and so they're gonna be like, "So they want to stay the same?"

ATTY DAVID LIPSHUTZ: In the end, it's about adding the bar area that's really what this is.

CHAIR NICOLE MURATI FERRER: Since I have you here, this needs to be signed. Can someone please -- on the bottom there.

Thank you.

Then other than this change, there's nothing else that's being changed with regard to this?

ATTY DAVID LIPSHUTZ: That's correct.

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

(No response.)

Anyone in opposition to this petition?

(No response.)

I would vote to grant pending the second page being fixed.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Granted.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY DAVID LIPSHUTZ: Thank you.

INFORMATIONAL:

DIP DOG INC D/B/A HUNGRY MOTHER

EXECUTIVE DIRECTOR ELIZABETH LINT:

Informational matter: Dip Dog, Inc doing business as Hungry Mother, holder of a common victualler all alcohol license at 233 Cardinal Medeiros Avenue, currently inactive, pursuant to General Laws Chapter 138, Section 77 and General Laws Chapter 140, Section 9, non-use of license.

CHAIR NICOLE MURATI FERRER: Counsel, I'm sorry, with regard to the last one as well, with your permission, can we just scrap the physical description and put "See alcohol application"?

ATTY DAVID LIPSHUTZ: Absolutely.

CHAIR NICOLE MURATI FERRER: If you want to make the -- thank you.

Again, with regard to the last one, for the record, Councillor Toomey filed a letter in support and so did Patrick McGee from The East Cambridge Business Association.

What is going on?

RACHEL MILLER MUNZER: We're still here.

ATTY DAVID LIPSHUTZ: Again, I'm going to turn this over to Rachel.

RACHEL MILLER MUNZER: So we also control the license of Dip Dog, Inc., formally doing business as the Hungry Mother Restaurant on the corner of 233 Cardinal Medeiros Avenue. We closed last summer due to a split up of ownership.

CHAIR NICOLE MURATI FERRER: Due to, I'm sorry?

RACHEL MILLER MUNZER: A split up of ownership. We decided that it didn't make sense to operate the business as it was without our

partner that was no longer going to be there.

Additionally, at the time we already received a citation from the Architectural Access Board which we had been working on dealing with -- basically with a co-consultant. We were cited for being -- a not accessible restaurant. We were working on figuring out how to do that. Closing the restaurant and planning to do renovations put us in a position where we had to really go for a variance because it's an old space and has many limitations and spent approximately, I don't know, four or five months speaking with just about everybody that would listen to us and come look at the space attempting to figure out if it was possible to make accessible. After really going through every possibility, we ultimately attempted -- we ultimately went to the MAB to ask for a variance and we were granted that in April, I think, with

the condition that we get a -- we apply for another variance from the Building Department, from the State Building Department, for -- not to put an incline lift. We talked about putting an incline lift because there's stairs up to our dining room and they asked that we apply for another variance saying that it was an egress issue, and there was an egress issue, but they needed -- they -- so that's in process.

To get to the end of the story, all that is in progress. We're actually in motion. We have our contractor working out to build out the deli and we're making plans and he's working getting permits pulled. And our best hope is we will be open by the fall, I would say September.

CHAIR NICOLE MURATI FERRER: Have you applied for the second variance, or are you in the works -- is it in the works or has it already been filed?

RACHEL MILLER MUNZER: I don't believe it has been filed.

I know we received a letter from Michael Grover in Cambridge Inspectional Services to our co-consultant, and I think he's putting together that application.

We have been paying rent in the space with the exception of a little bit of relief from our landlord for the first couple months. We're committing to reopening there and we resigned our lease. We just need to get through --

ATTY DAVID LIPSHUTZ: They control the premises. They have a long-term lease. They expect to be there for a long time. They want to open once correctly.

CHAIR NICOLE MURATI FERRER: I would vote to do a cancellation nonuse hearing in six months.

POLICE COMMISSIONER CHRISTOPHER BURKE:

I agree.

CHAIR NICOLE MURATI FERRER: Okay.

ATTY DAVID LIPSHUTZ: Thank you.

APPLICATION:

DIP DOG, INC D/B/A HUNGRY MOTHER

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Dip Dog, Inc doing business as Hungry Mother, holder of a common victualler all alcoholic beverages license at 233 Cardinal Medeiros Avenue, has applied for a new stockholder, new officer/director and transfer of stock. This location is currently closed and not operating.

ATTY DAVID LIPSHUTZ: Again, I'm David Lipshutz, I'll spare everything else. This is the other piece of the buy-out of Mr. Maiden.

He was -- his interest was purchased by the three-page equity -- three other equity operating owners.

They, in turn, in a simultaneous transaction, transferred a portion of Mr. Maiden's shares and some of their own to the four other operating owners that are part of RJHeart and Mamaleh's and part of SlawDog, LCC, so that at the end, the ownership interests, or the active voting ownership interests, of all three entities are identical, so there's really seven operating partners now of the entities.

Again, the ownership went from 19.125 percent of each of the four owners to now seven, it's 10.93 percent after the reallocation.

Rachel Miller Munzer is the president, Alon Munzer will be the secretary of the entity, John Kessen, treasurer, and then Rachel's son Tyler, and Heather Mojer and Kevin Harrison has been named directors, so that all seven of the existing operating owners will be officers of the company.

CHAIR NICOLE MURATI FERRER: Questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:

No questions.

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

(No response.)

Anyone in opposition this petition?

(No response.)

I vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:

Grant.

APPLICATION:
MJ AUTO SALES, INC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: MJ Auto Sales, Inc has applied for a used car dealers license class Inman Square, office only, at 2380 Massachusetts Avenue, Suite 109.

CHAIR NICOLE MURATI FERRER: Good

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

MORGAN OKUNDAYE: I'm Morgan Okundaye, M-O-R-G-A-N, O-K-U-N-D-A-Y-E.

JANE OKUNDAYE: Jane, J-A-N-E, same last name O-K-U-N-D-A-Y-E.

CHAIR NICOLE MURATI FERRER: Thank you.

Okay. So just for the record in October of 2005 the License Commission put in a moratorium for used car dealerships, but because this is basically replacing yours, I personally think it doesn't apply because you don't have to show the extraordinary need. I know the reason why we're here is because your old license was comprised. I personally would want to know what steps you have taken to make sure that doesn't happen again.

MORGAN OKUNDAYE: I have to buy the new machine so that --

THE REPORTER: Chair, I cannot understand him.

JANE OKUNDAYE: What he's saying is that what we put in place is to make sure that the cars we're buying right now, we have the new stick machine, to check the machine, to check the cars to see if they have any problem before we can sell it to somebody.

CHAIR NICOLE MURATI FERRER: I think I'm also interested in knowing. I mean, I do recall from the disciplinary hearing there was an issue, at least one particular issue, where you had a gentleman who was not your employee, but you had him filling out paperwork for you, is that practice going to continue?

JANE OKUNDAYE: No.

MORGAN OKUNDAYE: No.

CHAIR NICOLE MURATI FERRER: What are you going to do now?

JANE OKUNDAYE: As a matter of fact, because we -- last time we were about to tell you guys, that was poor judgment because that guy -- I was not available. He just did it on his own for that one. He don't supposed to, but he did it because the guy was like badgering him.

CHAIR NICOLE MURATI FERRER: Are you going to have any employees -- other than the two of you, is there anyone else employed by your company?

JANE OKUNDAYE: No.

CHAIR NICOLE MURATI FERRER: Okay. And what repair shop are you going to be using?

MORGAN OKUNDAYE: Bani Auto Sales.

JANE OKUNDAYE: Bani.

CHAIR NICOLE MURATI FERRER: The one in Roxbury?

MORGAN OKUNDAYE: Yes.

JANE OKUNDAYE: Yes.

THE REPORTER: Can you spell it?

JANE OKUNDAYE: B-A-N-I.

CHAIR NICOLE MURATI FERRER: So the corporate name is gonna be MJ Auto Sales, Inc.?

MORGAN OKUNDAYE: Yes.

CHAIR NICOLE MURATI FERRER: Is there going to be a business name? A d/b/a? Are you gonna go by any other name?

MORGAN OKUNDAYE: Inc.

CHAIR NICOLE MURATI FERRER: But there's no other name, not like last time where you had Noma Auto Sales and then you were Noma?

MORGAN OKUNDAYE: No.

CHAIR NICOLE MURATI FERRER: This is the same space where Noma was, correct?

MORGAN OKUNDAYE: Yes.

CHAIR NICOLE MURATI FERRER: Other than you two, is there anyone else with a beneficial interest in the license?

MORGAN OKUNDAYE: No.

CHAIR NICOLE MURATI FERRER: So other than the diagnostic machine and not allowing anyone else to fill out paperwork and whatnot, is there any new plan for your business to make sure that no one takes your license number?

MORGAN OKUNDAYE: The new plan is to --

JANE OKUNDAYE: Last four digits of our social. So, okay, if the Registry don't see that, nobody knows about that.

CHAIR NICOLE MURATI FERRER: I would use your company's tax ID number, not your social security, but that would just be me personally, particularly with all the issues you had last time, I mean...

You submitted your CORI form?

JANE OKUNDAYE: Yes, I did.

EXECUTIVE DIRECTOR ELIZABETH LINT: I have that.

POLICE COMMISSIONER CHRISTOPHER BURKE:

No questions.

CHAIR NICOLE MURATI FERRER: Are you going to be selling new motor vehicles?

MORGAN OKUNDAYE: No. Used.

CHAIR NICOLE MURATI FERRER: Are you going to be selling motor vehicle junk?

MORGAN OKUNDAYE: No, no. We don't have a junkyard.

CHAIR NICOLE MURATI FERRER: It's in the application. You didn't answer the questions. Can you come and initial those? I put your answers there, but I need you to initial them.

I would take this under advisement.

POLICE COMMISSIONER CHRISTOPHER BURKE:
I agree.

CHAIR NICOLE MURATI FERRER: Under advisement and we'll be voting on June 17, next Friday. Yeah, June 17, next Friday. Not this

Friday, next Friday, okay, and make sure that everything comes back -- we'll make sure they run the CORI and everything comes back. Thank you.

**APPLICATION:
M&R HOSPITALITY GROUP, INC.
D/B/A MOONA RESTAURANT**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: M&R Hospitality Group, Inc doing business as Moona Restaurant, has applied for a new common victualler wine and malt beverages license to be exercised at 243 Hampshire Street with proposed hours of 5:00 p.m. to 1:00 a.m. seven days per week with a seating capacity of 19 inside and eight seasonal patio seats on private property, Mohamad El Zein as proposed manager of record of a premise described as ground level of three-story building, 1,000 square feet with 19 seats and standing room by the bar area at high-top tables. Basement for storage underneath. Patio on private property with eight

seats.

ATTY BARRY GORDON: Good evening. My name is Barry Gordon, G-O-R-D-O-N of the law firm of Gordon, Mond, M-O-N-D, and Ott, O-T-T, of Quincy. I represent M&R Hospitality Group which will be doing business as Moona Restaurant, which is a new concept for the location which was formerly Plasca Cafe (phonetic), which was a Baltic sandwich shop, which I don't know what that is, but that's what it was. And I would like to have Mr. El Zein describe what the concept will be.

CHAIR NICOLE MURATI FERRER: Thank you.

Name is Mohamad El Zein. That's M-O-H-A-M-A-D. Last name E-L Z-E-I-N. And we're looking to do an Eastern Mediterranean concept focusing on everywhere from Morocco all the way up to Lebanon, and the food will be Meze-style food, or small plates, very similar to

tapas or antipasto.

And the concept is really going to be very similar to what Ana Sortun at Oleana is doing and Sarma in Somerville. We're looking to do dinner seven nights a week and eventually after a few months of getting our dinner service going, we'd like to start brunch on Saturdays and Sundays and have a wine and beer license, if we can.

CHAIR NICOLE MURATI FERRER: What is the public need for this license at this location?

ATTY BARRY GORDON: There's no concept like this in the area, and the varied population of Cambridge would speak to the need of some new -- something new, and I don't believe that any place around here, at least in that area, there's an Eastern Mediterranean concept of delicious food and accompanying alcohol beverages.

CHAIR NICOLE MURATI FERRER: You tried the food?

ATTY BARRY GORDON: I had some of their food. Mr. Radouan Ouassaid -- and I'll spell that for you, R-A-D-O-U-A-N, O-U-A-S-S-A-I-D, who is the treasurer, operates two locations of a concept called South End Pita, P-I-T-A, and Mr. El Zein was formally associated with Masa in the South End, which was Spanish tapas and they also had a location up in Woburn. He was in charge of operations for those locations and is thoroughly familiar with the operation of these types of restaurants.

CHAIR NICOLE MURATI FERRER: I want to ask you about that. The one in Woburn, I know it's closed, but is that license still held?

MOHAMAD EL ZEIN: That license, we just sold the restaurant to the Local Group based out of Wellesley. That sale happened in May.

CHAIR NICOLE MURATI FERRER: Okay. Which would explain this, but your application for the retail beverage, that's going to have to be moved to from 11 to Item No. 12.

ATTY BARRY GORDON: Okay.

CHAIR NICOLE MURATI FERRER: Then you also mentioned the one in South End.

Mr. El Zein, did you have a direct or indirect beneficial interest in the one in South End as well?

MOHAMAD EL ZEIN: No.

CHAIR NICOLE MURATI FERRER: So, counselor, No. 11 just to switch to No. 12 and update that so there's no delay in terms of the back end there.

And the patio is on private property?

ATTY BARRY GORDON: Yes.

CHAIR NICOLE MURATI FERRER: You have no entertainment? There will be no background

music? No nothing?

MOHAMAD EL ZEIN: There will be background music, yes.

CHAIR NICOLE MURATI FERRER: So according to the law, you also have to get a license for that, just make sure that you apply for that.

Is this under construction right now?

ATTY BARRY GORDON: It's almost done with demolition and then start from the ground up.

CHAIR NICOLE MURATI FERRER: You have plenty of time to contact our office with regard to the entertainment license once you know what kind of entertainment to make sure you get that licensed.

The patio, is it eight seats or ten seats because I have in one place eight and the other ten?

MOHAMAD EL ZEIN: Ten.

CHAIR NICOLE MURATI FERRER: So I don't

know if you want to make the change here and initial it.

Who is the Laila Kassis?

MOHAMAD EL ZEIN: That's my wife.

CHAIR NICOLE MURATI FERRER: Does she have any financial interest in the license?

MOHAMAD EL ZEIN: No.

CHAIR NICOLE MURATI FERRER: So because she is in the bank statements you have to get an affidavit so we can submit that along with the ABCC basically saying she has no financial interest in the license.

ATTY BARRY GORDON: We'll do that.

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

MOHAMAD EL ZEIN: That's correct.

CHAIR NICOLE MURATI FERRER: And your counselor already told us about your experience,

but are you familiar with the rules and regulations of this Board, the ABCC and the laws of the Commonwealth of Massachusetts with regards to the sale and service of alcohol?

MOHAMAD EL ZEIN: I am.

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

MOHAMAD EL ZEIN: Yes.

CHAIR NICOLE MURATI FERRER: We expect you to go to the 21 Proof training.

MOHAMAD EL ZEIN: Yes.

CHAIR NICOLE MURATI FERRER: Are you a US citizen?

MOHAMAD EL ZEIN: I am.

CHAIR NICOLE MURATI FERRER: Questions?

POLICE COMMISSIONER CHRISTOPHER BURKE:
No questions.

CHAIR NICOLE MURATI FERRER: So I think

we'll just hold onto this so you can make that change, and then we can also get the affidavit, and then if you get all of that before June 17, we can vote on it on June 17. For the record, I'm inclined to grant.

ATTY BARRY GORDON: Thank you very much.

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

JAQUES GOVIGNON: We're not in favor.

THE REPORTER: Chair, I need his name for the record.

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

JAQUES GOVIGNON: My name is Jacques Govignon, G-O-V-I-G-N-O-N. J-A-Q-U-E-S. And I live at 132 Antrim Street, which is right across from the location of 243 Hampshire Street, and I received a certified letter saying that there was a hearing tonight and I received that letter

apparently on the 4th or at least there was an attempt to deliver on the 4th and then there was something in the mailbox on the 5th, and I went to pick up the letter on -- yesterday and I found out that there was a hearing tonight. And I asked several neighbors if they were aware of what was going on, and most said no. A few said they had received a letter, but they hadn't had the time to go to the post office and pick it up, because the letter was mailed, in fact, June 1. So it was very short notice. So yesterday night I went around a few neighbors and I asked them if they were aware of what was going on, and some said no. And I showed them the notice that I had received, and I got several people to say we would like to oppose that, or at least we would like to have a discussion with the people because there's no neighborhood information and this is a residential neighborhood, very nearby, so I have

several signed comments saying I oppose this proposal signed by several people at 140 Antrim Street, 130 Antrim Street, 132 Antrim Street, 131 Antrim Street, 135 Antrim Street, and 132 again, and I assembled that in a few hours, so that's all I had to say.

CHAIR NICOLE MURATI FERRER: Counselor, did you have an opportunity to meet with the neighborhood association or meet with the neighbors?

ATTY BARRY GORDON: I did not, Madam Chairwoman.

CHAIR NICOLE MURATI FERRER: The affidavit of -- the abutters were notified.

MOHAMAD EL ZEIN: Yes. So we received the letter on Thursday around 4:00 p.m. via email saying we had three business days to inform all of the abutters. Monday was Memorial Day, so Friday -- that would make it Friday, Tuesday,

Wednesday for three business days, and it was sent out on Wednesday and we have first the attested affidavit, we have the maps from both the Public Works as well as the City Hall and we also have all the certified mail listings that we sent over with us today.

CHAIR NICOLE MURATI FERRER: Do you have a neighborhood association or these people that you contacted was like this a condo association?

JAQUES GOVIGNON: No, it was neighbors in the street.

ATTY BARRY GORDON: They live in an apartment building across the park.

JAQUES GOVIGNON: No, it was on Antrim Street. There are several apartments, several three deckers. In our case it's a duplex with one part of the duplex is two apartments and next door there's a single house, in fact, it's two apartments in that house, and I just -- I know

those people, it's not a neighborhood association or whatever. It's just that I was surprised by that and I wanted to know what was the feeling about it of the other people.

CHAIR NICOLE MURATI FERRER: You're not anywhere close to be opening?

MOHAMAD EL ZEIN: We're not.

CHAIR NICOLE MURATI FERRER: There's no real urgency in terms of granting this license. Couldn't you set up a meeting to maybe just talk to the neighbors around in the area, just kind of leaflet the area and maybe you can put a -- them at ease in terms of the concept that you're having and explain what you're doing and whatnot.

MOHAMAD EL ZEIN: Most certainly.
Absolutely.

CHAIR NICOLE MURATI FERRER: Let's do that. We're deferring anyways. We're talking it under advisement and we can certainly -- what

date is today, June what?

EXECUTIVE DIRECTOR ELIZABETH LINT: 7th.

CHAIR NICOLE MURATI FERRER: We have another meeting the 21st. So if you can do it before then, that would be great and we can vote on it then.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
What do you have for a projected completion date?

MOHAMAD EL ZEIN: Right now we're shooting to get done by and we have target to open by September 15.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
September 15.

CHAIR NICOLE MURATI FERRER: This year?

MOHAMAD EL ZEIN: Yes.

CHAIR NICOLE MURATI FERRER: Yeah. So I would maybe talk to the gentleman in the hall and see if you can get that meeting happening because the sooner you meet and the sooner we hear

back --

MOHAMAD EL ZEIN: Absolutely. And just for the record, when we did move in, we asked, because from my experience in the South End and out in Woburn when we opened the restaurant locations, we wanted to reach out to different -- in the South End, it was neighborhood associations and in Woburn, it was more business associations because it's a fairly large town, and we were told about the Inman Square Business Association, and so we met with the people that own Inman Oasis that are right next to us that have been there ten years, and we let them know what we were doing. And we also informed the owner of Ole, the Mexican restaurant, that we were going to be opening and the owner of the toy store that's off Cambridge Street, Stella Bella Toys.

So we did inform a few people that we

were coming into the neighborhood, and no way, shape or form are we looking to have a loud bar. This is a quiet, nice restaurant atmosphere where music is background, not foreground.

ATTY BARRY GORDON: And our reservations, we're not going to be playing it --

CHAIR NICOLE MURATI FERRER: Yeah, I think it's a matter of them not knowing and seeing this on something and not really knowing.

JAQUES GOVIGNON: I'm surprised you mentioned Oasis because my just wife went for a massage yesterday there and met with people there, and they are concerned about the seating outside, and we're concerned about the seating outside, and we're concerned about the hours also.

1:00 a.m. is an -- in a residential area is quite late for us. And music carries and you're right in front and it goes on to Antrim

Street. If I spent more time, I could have 15 signatures. I assembled that number in a matter of two hours basically.

ATTY BARRY GORDON: We would be very happy to meet with you.

CHAIR NICOLE MURATI FERRER: Meet with them and we'll leave the record open until June 21 in the event you want to submit something in writing to the Commission, and in the event you want to submit something in response to that as well.

JAQUES GOVIGNON: Could I suggest a date later than that because a lot of people are already, in fact, in summer mode. There are school legislators and university people.

CHAIR NICOLE MURATI FERRER: The only problem with that is we have to take action within 30 days of hearing this application and the next meeting we would have would be -- I

would be past those 30 days, I believe. You know, unless we see an issue with the abutter notification, I don't think we would be able to push it forward. So I would just urge all of you to step outside and discuss this a little bit further.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Did you get any of the receipt back on the --

MOHAMAD EL ZEIN: (Indicating.)

ASSISTANT FIRE CHIEF GERARD MAHONEY:

No. The green cards that the letters were delivered?

MOHAMAD EL ZEIN: Not yet. Probably in the mailbox, but I haven't checked yet. Not yet.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Make sure you hold on to those.

JAQUES GOVIGNON: I don't know if there's any -- it seems that the gentleman has approached all the business people and the business people

have a different concern than the residential people.

ATTY BARRY GORDON: There was no intent to slight any of the neighbors, we apologize.

CHAIR NICOLE MURATI FERRER: Thank you.

ATTY BARRY GORDON: We'll be glad to meet with you.

CHAIR NICOLE MURATI FERRER: Anyone else?

(No response.)

Thank you.

DISCIPLINARY:

**GRAFTON, INC D/B/A PARK RESTAURANT
AND BAR**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Disciplinary: Grafton, Inc doing business as Park Restaurant and Bar, holder of a common victualler all alcohol license at 59 JFK Street, for allegations of violations of General Laws Chapter 138, Sections 12, 23, and 64, serving alcohol/employees consuming alcohol beyond the

closing hour on March 20, 2016.

CHAIR NICOLE MURATI FERRER: So I mean my thoughts on this is based on the testimony provided and the admissions of licensee. There's no question that on that day employees consumed alcohol beyond the closing hour, so I would vote a violation. You know, based on the record, I was inclined for a warning, I did have concerns as to the actions with regard to the employees, and I don't know, so I was between a warning or a one day held in abeyance for six months. I'm a little iffy on that. I kind've wanted to discuss that. I do think there's a lot of deference that was given by the licensee with regard to the follow up by the police and whatnot. I'm concerned, and I note for the record that counsel did explain that his client seemed a little more relaxed in front of us than when he first spoke with him. I'm concerned because I think this was

a very serious issue in terms of, you know, this happened and, you know, consequences occurred and, you know, there's certain reasons why rules and laws are in place, so I don't know. I'm between those two.

POLICE COMMISSIONER CHRISTOPHER BURKE:

I would agree on all points. I think in the middle myself. I think that clearly the actions of the employees and the subsequent incident in the garage were all caused by the violation. I think it was somewhat satisfying to hear some acknowledgment that or admissions on the part of the establishment. Is there a history at this location?

CHAIR NICOLE MURATI FERRER: No, they have an excellent record. So that's why I was inclined for the violation warning.

POLICE COMMISSIONER CHRISTOPHER BURKE:

I would probably be more inclined to the warning

myself. I think that management understands how serious this incident was and where it could've ended up, and I would be satisfied with the warning would be appropriate.

CHAIR NICOLE MURATI FERRER: Okay.

Violation warning.

**APPLICATION:
DUNSTER STREET RESTAURANT**

EXECUTIVE DIRECTOR ELIZABETH LINT:

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

patio on private property.

CHAIR NICOLE MURATI FERRER: So this was kind've put on the back burner to have fire check out the actual alley and whatnot and fire did check it out, there were no issues. And based on that, the Commission had said had there been no issue with fire that we would vote to grant, so it's granted.

ATTY JAMES RAFFERTY: Great.

EXECUTIVE DIRECTOR ELIZABETH LINT: Want to take the next two together?

CHAIR NICOLE MURATI FERRER: Yep.

APPLICATIONS:

**TRANSFER OF LICENSE HELD BY WAGAMAMA
BOSTON ONE, LLC D/B/A WAGAMAMA and
WAGAMAMA BOSTON ONE, LLC DOING BUSINESS AS
WAGAMAMA**

EXECUTIVE DIRECTOR ELIZABETH LINT: Also administrative matters, application: Transfer of the common victualler all alcoholic beverages license held by Wagamama Boston One, LLC doing

business as Wagamama at 57 JFK Street to Sumiao Xiang Restaurant, LLC doing business as Sumiao's, at 270 Third Street, Sumiao Chen, proposed manager of record. The proposed hours are 11:00 a.m. to 12:00 a.m. Sunday through Wednesday and 11:00 a.m. to 2:00 a.m. Thursday through Saturday with a seating capacity of 116 inside and 40 outside on seasonal patio on private property. The premise is described as one floor at street level, approximately 4458 square feet with kitchen, dining area, and liquor bar and basement for storage, 780 square feet seasonal patio on private property.

Application: Wagamama Boston One, LLC doing business as Wagamama has applied to transfer the common victualler wine and malt restaurant license of Fi-Hi Pizza, Inc doing business as Hi-Fi Pizza, at 496 Massachusetts Avenue, change of location to 57 JFK Street,

amendment to premise description.

CHAIR NICOLE MURATI FERRER: The only reason these were put on the back burner was because we were missing the lease on the Sumiao matter and we couldn't grant one without granting the other, but the Commission had said once that came in, we would vote to grant and so they are so granted.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Grant.

CHAIR NICOLE MURATI FERRER: Before we go to the administrative matters, I need to take a ten-second break.

(Short recess taken.)

MALT LICENSES WITH OR WITHOUT ENTERTAINMENT:

**KRISTEN GLAUSER/BENJAMIN KUHLMANN
18 SAINT PAUL STREET**

EXECUTIVE DIRECTOR ELIZABETH LINT:
Kristen Glauser and Benjamin Kuhlmann has applied

for a malt and wine with entertainment
(recorded/live music and amplification system)
license to be exercised at 18 Saint Paul Street
(dead end), Cambridge, on 7/9/16 from 2:00 p.m.
to 8:00 p.m. for a party. Expected attendance:
150 people.

CHAIR NICOLE MURATI FERRER: So I would
defer on this because it says given away BYOB.
So since it's happening July 9, let's get more
information.

KATERYNA KUC (URBAN OUTFITTERS)

EXECUTIVE DIRECTOR ELIZABETH LINT:
Kateryna Kuc, has applied for a malt license to
be exercised at Urban Outfitters, 11 JFK Street,
Cambridge, on 6/10/16 from 8:00 p.m. to 11:00
p.m. for an in-store event. Expected attendance:
75 people.

CHAIR NICOLE MURATI FERRER: Granted.

ENTERTAINMENT LICENSE ONLY:

SELVIN CHAMBERS (YOUTH EVENT)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Selvin Chambers, has applied for an entertainment and open air festival license to provide DJ and amplification system service for a family and youth event at Green Rose Heritage Park, 155 Harvard Street, Cambridge, on 7/4/16 with rain date 7/9/16 from 11:00 a.m. to 6:30 p.m.

Expected attendance: 200 people.

CHAIR NICOLE MURATI FERRER: Did this go through special events?

EXECUTIVE DIRECTOR ELIZABETH LINT: It should be noted, yes.

CHAIR NICOLE MURATI FERRER: They also applied for an open air festival. Granted.

VENDORS:**SARAH SPINELLA (SANDERS THEATRE)**

EXECUTIVE DIRECTOR ELIZABETH LINT: Sarah Spinella, has applied for a vendor's license to

sell T-shirts, tote bags, and stickers at Sanders Theatre, 45 Quincy Street, Cambridge on 6/19/16 from 3:00 p.m. to 6:00 p.m.

CHAIR NICOLE MURATI FERRER: Granted.

KEITH SCHUBERT-TACO PARTY LLC (JAMESTOWN DAVENPORT, DRAPER LAB)

EXECUTIVE DIRECTOR ELIZABETH LINT: Keith Schubert-Taco Party LLC, has applied for a vendor's license to sell food at Jamestown Davenport, Thorndike Street on 6/16/16 from 11:30 a.m. to 2:00 p.m. and at Draper Lab, 555 Technology Square on 6/30/16 from 11:30 a.m. to 1:30 p.m.

CHAIR NICOLE MURATI FERRER: Hold on. Here it is. Granted.

EDWARD GOYETTE (BLOCK PARTY)

EXECUTIVE DIRECTOR ELIZABETH LINT: Edward Goyette on behalf of Beantowne Café has applied for a peddler's permit for a block party

at One Kendall Square on June 16, 2016 from 4:30 p.m. to 7:30 p.m.

CHAIR NICOLE MURATI FERRER: Granted.

IAN GROSSMAN (BLOCK PARTY)

EXECUTIVE DIRECTOR ELIZABETH LINT: Ian Grossman, on behalf of The Smoke Shop BBQ, has applied for a peddler's permit for a block party at One Kendall Square on June 16, 2016 from 4:30 p.m. to 7:30 p.m.

CHAIR NICOLE MURATI FERRER: Granted.

RJHEART (BLOCK PARTY)

EXECUTIVE DIRECTOR ELIZABETH LINT: RJHeart, doing business as Mamaleh's Delicatessen has applied for a peddler's permit for a block party at One Kendall Square on June 16, 2016 from 4:30 p.m. to 7:30 p.m.

CHAIR NICOLE MURATI FERRER: Granted.

RELIABLE SERVICES, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Reliable Services, LLC, holder of Common
Victualler License Number CV10264, at 119
Hampshire Street, is requesting to increase the
hours of operation from 10:00 a.m. to 11:00 p.m.
to 8:00 a.m. to 11:00 p.m.

CHAIR NICOLE MURATI FERRER: They are
looking to open earlier?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Granted.

SCOTT FRASER (JOSE MATEO BALLET THEATRE)

EXECUTIVE DIRECTOR ELIZABETH LINT: Scott
Fraser, on behalf of Jose Mateo Ballet Theatre,
Inc., has applied for a one-day
entertainment license for the Dance for World
Community Festival on June 11, 2016 from 11:00
a.m. to 8:00 p.m. at 400 Harvard Street and
Massachusetts Avenue from Remington to Arrow.
Approximately 10,000 people are expected and
request has been made for detail and this one's

for special events.

CHAIR NICOLE MURATI FERRER: Granted and detail required.

ARLYN DEPAGTER (MIT)

EXECUTIVE DIRECTOR ELIZABETH LINT: Arlyn Depagter, on behalf of MIT has applied for a one-day wine and malt license to be exercised at 100 Main Street on June 16, 2016 for a reception and dinner for 35 people.

CHAIR NICOLE MURATI FERRER: Granted.

PIERRE BELIZAIRE (EVERSOURCE ENERGY)

EXECUTIVE DIRECTOR ELIZABETH LINT: Pierre Belizaire on behalf of Ever Source Energy has applied -- that's not in the right place. It may be in the administrative pile.

CHAIR NICOLE MURATI FERRER: I have it right here.

EXECUTIVE DIRECTOR ELIZABETH LINT: Ever Source Energy has applied for a noise variance to

be exercised at the intersection of Walden Street and Sherman Street on June 15 through June 16 from 7:00 a.m. to 7:00 p.m. for a backhoe and compressors to retire a gas main.

CHAIR NICOLE MURATI FERRER: Granted.

JENNY McBRIDE (INMAN SQUARE BUSINESS ASSOC)

EXECUTIVE DIRECTOR ELIZABETH LINT: Jenny McBride on behalf the Inman Square Business Association has applied for one-day entertainment license to be exercised at Vellucci Plaza on June 9, July 14 and August 18 from 11:00 a.m. until 2:00 p.m. for live music.

CHAIR NICOLE MURATI FERRER: Granted.

They went through special events.

JENNY McBRIDE (INMAN SQUARE BUSINESS ASSOC)

EXECUTIVE DIRECTOR ELIZABETH LINT: Jenny McBride on behalf the Inman Square Business Association has applied for a one-day peddler's license to be exercised on June 9 from 11:00 a.m.

to 3:00 p.m. at reserved parking spaces in front of Jose's.

CHAIR NICOLE MURATI FERRER: Parking spots and they have a special events permit?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Granted.

JENNIFER NOVOTNEY (MIT MUSEUM)

EXECUTIVE DIRECTOR ELIZABETH LINT:
Jennifer Novotney on behalf of MIT Museum has applied for a one-day wine and malt license to be exercised at 265 Massachusetts Avenue, Cambridge June 18 from 6:30 to 8:30 p.m. for a science discussion evening.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: Do you have the noise variances there or...?

CHAIR NICOLE MURATI FERRER: I have two other ones here. Is that all you have?

EXECUTIVE DIRECTOR ELIZABETH LINT: No, I

have --

BENJAMIN BANNEKER PUBLIC SCHOOL

CHAIR NICOLE MURATI FERRER: I mean, I have two other entertainment licenses. I have one from Andre Raheim Abraheim (phonetic) from the Benjamin Banneker Charter Public School, a nonprofit, school carnival.

EXECUTIVE DIRECTOR ELIZABETH LINT: That was given to me as I was walking out the door.

CHAIR NICOLE MURATI FERRER: 10:00 a.m. to 2:00 p.m. Granted.

They also applied for the open -- granted.

JESSICA FALLON (DWF 41 KENDALL LC)

The other one I have is the another entertainment license by Jessica Fallon from the DWF41 Kendall LC for a special event the One Kendall property on June 16. This is what went through special events.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.
It's an event that One Kendall has done the last
two years.

CHAIR NICOLE MURATI FERRER: Granted and
police detail required.

CHAIR NICOLE MURATI FERRER: What are you
looking at next?

EXECUTIVE DIRECTOR ELIZABETH LINT: I
have the original administrative hearing is a
letter from Nooky?

CHAIR NICOLE MURATI FERRER: Yes.
Upscale.

ADMINISTRATIVE MATTERS:

**TOPSFIELD BAKESHOP, INC D/B/A
WHOOPIE WAGON**

EXECUTIVE DIRECTOR ELIZABETH LINT:
Topsfield Bakeshop Inc doing business as The
Whoopie Wagon holder of hawkers and peddlers
licensee has applied for a change of location

from Third and Binney Street to Grand Junction.

CHAIR NICOLE MURATI FERRER: Granted.

NICHOLAS EMMONS (FLYING TOAD, INC)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Nicholas Emmons on behalf of Flying Toad, Inc
doing business as Cambridge Common, 1667
Massachusetts Avenue, holder of an all alcoholic
beverages restaurant license, has applied for a
one-day amendment to their existing license to
serve food and beverages (beer and hard cider) in
their parking lot on June 26, 2016 from 12:00
p.m. to 6:00 p.m. with 100 people expected.

CHAIR NICOLE MURATI FERRER: They had
this same thing in August of 2015. Two crowd
certified managers, 12:00 p.m. to 6:00 p.m.
Granted.

PHILIP BANNATYNE (CAMBRIDGE BREWING)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Philip Bannatyne, on behalf of Cambridge Brewing

Company has applied for a one-day extension of their license to sell food and alcoholic beverages for a block party at One Kendall Square on June 16, 2016 from 4:30 p.m. to 7:30 p.m. That's part of the same thing.

CHAIR NICOLE MURATI FERRER: Yep.

SLAW DOG, LLC D/B/A STATE PARK

EXECUTIVE DIRECTOR ELIZABETH LINT: Slaw Dog, LLC doing business as State Park, has applied for a one-day extension of their license to sell food and beer for a block party at One Kendall Square on June 16, 2016 from 4:30 p.m. to 7:30 p.m.

CHAIR NICOLE MURATI FERRER: Granted.

TOASTED BROTHERS, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT: Toasted Brothers, LLC has applied for a one-day extension of their license to sell food and beer for a block party at One Kendall Square on June

16, 2016 from 4:30 p.m. to 7:30 p.m.

CHAIR NICOLE MURATI FERRER: Granted.

DNS GROUP, INC

EXECUTIVE DIRECTOR ELIZABETH LINT: DNS Group, Inc has applied for a one-day extension of their license to sell food and beer for a block party at One Kendall Square on June 16, 2016 from 4:30 p.m. to 7:30 p.m.

CHAIR NICOLE MURATI FERRER: Granted.

SPECIAL NOISE VARIANCE:

DANIEL GRIFFIN (MIT)

EXECUTIVE DIRECTOR ELIZABETH LINT: So I have Daniel Griffin on behalf of MIT has applied for a special noise variance to be exercised on June 13, 2016 through August 1, 2016 from 8:00 p.m. to 4:00 a.m. at the intersection of Mass. Ave and Vassar Street for excavators, backhoe, jackhammer, air compressor, dump truck, hydraulic hoe ram, portable power and welding equipment,

paving equipment and concrete trucks. There will not be any work on Sunday.

CHAIR NICOLE MURATI FERRER: Granted.

JAMIE ASBURY (HANOVER R.S. CONSTRUCTION)

EXECUTIVE DIRECTOR ELIZABETH LINT: Jaime Asbury on behalf of Hanover R.S. Construction has applied for a special noise variance to be exercised on June 18, June 23, and November 17, 2016 from 7:00 a.m. through 5:00 p.m. Saturdays only, have a 7:00 a.m. start and no Sunday work at 88 Cambridgepark Drive for heavy equipment to excavate for underground work.

CHAIR NICOLE MURATI FERRER: Jaime, right?

ZINNEKAN'S (SUCH KA FOOD TRUCK)

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Zinnekan's holder of a peddler's license has

applied to vend on June 14 and June 28, 2016 from 11:30 a.m. to 2:00 p.m. at 245 First Street.

CHAIR NICOLE MURATI FERRER: The sandwich, salad on rice.

NARATH YIN (SUCH KA FOOD TRUCK)

EXECUTIVE DIRECTOR ELIZABETH LINT: Then I have a Narath Yin, on behalf of Such Ka Food Truck, has applied to vend on 555 Technology Square on June 9, 2016 from 11:30 p.m. to 1:30 p.m. and at 245 First Street on June 23, 2016 from 11:30 to 2:00 p.m.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: And then the letter from --

CHAIR NICOLE MURATI FERRER: Hold on. The Belgain waffles one?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

CHAIR NICOLE MURATI FERRER: Hold on. Granted as to Zinnekan's.

EXECUTIVE DIRECTOR ELIZABETH LINT: All I have left is Stephen Postal.

BON ME FOODS

CHAIR NICOLE MURATI FERRER: I have the Bon Me Foods for the Kendall block party. The peddler permit as well, June 16, 7:30 -- 4:30 to 7:30. Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Stephen --

FLAPTOP JOHNNIE'S

CHAIR NICOLE MURATI FERRER: Then I also have FlapTop Johnnie's, the extension of the premises also for the festival that went through special events.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes, it did.

CHAIR NICOLE MURATI FERRER: Granted.

STEPHEN POSTAL (REQUEST)

EXECUTIVE DIRECTOR ELIZABETH LINT:

Stephen postal on behalf of Commonwealth
Restaurant holder of an all alcoholic beverages
restaurant license at 11 Broad Canal Way
submitted a letter requesting to serve food only
on his extended patio which is 94 seats.

CHAIR NICOLE MURATI FERRER: This is on
private property, correct?

EXECUTIVE DIRECTOR ELIZABETH LINT:
That's correct.

CHAIR NICOLE MURATI FERRER: So it would
be an extension of their CV license while they
actually get approval for the extension on the
alcohol?

EXECUTIVE DIRECTOR ELIZABETH LINT:
Correct.

CHAIR NICOLE MURATI FERRER: Okay. I
would vote to grant.

POLICE COMMISSIONER CHRISTOPHER BURKE:
Approved.

CHAIR NICOLE MURATI FERRER: Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: I
don't have anything else.

CHAIR NICOLE MURATI FERRER: That's it.
Thank you.

POLICE COMMISSIONER CHRISTOPHER BURKE:
That's all.

CHAIR NICOLE MURATI FERRER: That's all.
Can you believe it?

For the record, it is 8:16 p.m on June 7.
And once again, we're opening up the portion of
the meeting to hear comments from the public with
regard to our proposed rules and regulations,
changes to the proposed rules, changes to the
proposed rules and regulations. Anyone here to
comment? No?

Let the record reflect that no one wanted
to comment.

Thank you and now we're officially

adjourned for the day. Thank you.

(Hearing adjourned.)

ERRATA SHEET

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

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

CERTIFICATION

Commonwealth of Massachusetts

Norfolk, ss.

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

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 7th day of June, 2016.

Jill Kourafas
Certified Shorthand Reporter
License No. 14903
Notary Public

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