



CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

BOARD OF LICENSE COMMISSIONERS' MEETING MINUTES

For Meeting of September 24, 2019

Michael J. Lombardi Building
831 Massachusetts Avenue
Carmelia M. Vicente Conference Room (Basement Level)
Cambridge, Massachusetts

Meeting started at 10:34 a.m.

Board of License Commissioners Board Members (All Present): Nicole Murati Ferrer, Gerard E. Mahoney, and Branville G. Bard.

Staff Member Present: Elizabeth Y. Lint, Executive Director.

Note: All votes, unless otherwise indicated, were 3-0.

Disciplinary Matters

1) **Schumacher Companies d/b/a D. Schumacher Landscaping, Leaf Blower Permit # 10696**, for alleged violations of Cambridge Municipal Code 8.16.081: **[Time Stamp: 01:34]**

- (a) Operating during a prohibited period on 08/29/19; and
- (b) Operating a leaf blower with sound emissions above 65 dB(A).

Present: Licensing Investigator Tyler Bubenik; David Bean; Geoff Orbegoso; and Marc Ethier.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: During a routine patrol Investigator Bubenik observed employees of Schumacher Landscaping on August 29, 2019 at 1:45 a.m. behind 26 Garden Street using a leaf blower. The leaf blower being used has a manufacturer rating of 75 dB(A). Mr. Bean apologized for the infraction. The offender and the rest of the crews have been spoken to. This is the company's first infraction.

Decision: Board found a violation (3-0) for operating during a prohibited period and operating a non-compliant leaf blower. Board issued (3-0) a warning for operating during a prohibit period and issued (2-1) a \$300 fine for operating a non-compliant leaf blower (dissent: Commissioner Bard voted to issue a warning).

2) **BrightView Landscapes, LLC, Leaf Blower Permit # 15106**, for alleged violations of Cambridge Municipal Code 8.16.081: **[Time Stamp: 6:30]**

- (a) Operating during a prohibited period on 07/08/19; and
- (b) Operating a leaf blower with sound emissions above 65 dB(A).

Present: Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; waiver of hearing filed by BrightView; and file.

Summary: While on routine patrol on July 8, 2019, Investigator Bubenik testified that he observed employees of BrightView Landscapes operating a leaf blower. This is during a prohibited time period. In addition, the blower being used has a manufacturer rating of 73 dB(A). BrightView filed a waiver of hearing, admitting to the facts as presented. BrightView has been issued fines in the past for violations of the Ordinance.

Decision: Board found a violation on each count and issued a \$300.00 fine on each for a total fine of \$600.00.

3) **Emanuela Leone d/b/a Leone Landscape Co., Leaf Blower Permit # 17020**, for alleged violation of Cambridge Municipal Code 8.16.081: operating during a prohibited period on 07/08/19. [Time Stamp: 9:00]

Present: Licensing Investigator Tyler Bubenik; and Eric Gamez.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: While on routine patrol on July 8, 2019, Investigator Bubenik testified that he observed an employee of Leone Landscape operating a leaf blower at approximately 10:30 a.m. at 161 Brattle Street. This is during a prohibited time period. Mr. Gamez admitted that this occurred and apologized for the violation. Leone Landscape has been issued fines in the past for the same type of violation.

Decision: Board found a violation and issued a \$300.00 fine.

4) **Thayer & Associates, Inc.**, for alleged violations of Cambridge Municipal Code 8.16.081: [Time Stamp: 11:35]

- (a) Failure to comply with Cease and Desist Order dated 07/12/18;
- (b) Operating without a permit on 08/19/19;
- (c) Operating during a prohibited period on 08/19/19; and
- (d) Operating a leaf blower with sound emissions above 65 dB(A).

Present: Dwight Johnson; Deo Mahase; and Licensing Investigator Bubenik.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: While on routine patrol on August 19, 2019, Investigator Bubenik testified that he observed an employee of Thayer & Associates operating at approximately 11:00 a.m. in the vicinity of 993 Memorial Drive. This is during a prohibited period and in violation of a cease and desist order dated

July 12, 2018. In addition, the leaf blower being used has a manufacturer rating of 75 dB(A). Mr. Johnson did not deny the allegations and apologized for the infraction. He stated that they are a management company that usually hires landscaping companies but for this particular location it does the landscaping on its own.

Decision: Board found a violation and issued a warning for failure to comply with a cease and desist order; found no violation for not being permitted as they are not a commercial leaf blower operator as defined by the ordinance; found violation for operating during a prohibited period, for which it issued a \$300.00 fine; and found a violation for operating a non-compliant leaf blower, for which it issued a \$300.00 fine.

5) **Garrick Construction, Inc. d/b/a Garrick Santo Landscape Co., Leaf Blower Permit # 10681**, for alleged violations of Cambridge Municipal Code 8.16.081: **[Time Stamp: 15:25]**

- (a) Operating during a prohibited period on 07/01/19; and
- (b) Operating a leaf blower with sound emissions above 65 dB(A).

Present: Licensing Investigator Tyler Bubenik; and no representative for Garrick Santo appeared.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: Second call was given. Investigator Bubenik testified that on July 1, 2019, at approximately 3:30 p.m., while on routine patrol, he observed Renaldo Duran, an employee of Garrick Santo, operating a leaf blower on the parking lot at 217-229 Putnam Avenue. The leaf blower being used has a manufacturer rating of 77 dB(A). The company has been fined in the past for violations of the ordinance.

Decision: Board found a violation for operating during a prohibited period and operating a non-compliant leaf blower. The Board issued a \$300.00 fine on each count for a total fine of \$600.00.

6) **Dueko Enterprises, LLC d/b/a Thistle & Shamrock, 62 Walden Street, Wine and Malt Package Store License # 11476**, for allegations of sale, service and/or furnishing alcohol to a minor on August 6, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. **[Time Stamp: 15:55]**

Present: Jackson Hall, owner; Officer Benny Szeto; and Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; file; and documents/correspondence submitted by the licensee.

Summary: While conducting a field investigation, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer. The clerk of Thistle & Shamrock did not ask the individual for identification and the sale was completed. Investigator Bubenik was able to observe this from outside the establishment. Mr. Hall did not deny the infraction occurred and apologized to the Board. The cashier involved was terminated. Mr. Hall instituted a new policy whereby anyone who sells alcohol or tobacco to someone under 21 years old will

be fired. All employees took 21 Proof Training and signage was placed around the store stating that there will be no sales to anyone under 21. He has also programed the cash registers to prompt for an identification check. Thistle & Shamrock has been in operation since 2013 with no violations.

Decision: Board found a violation and issued 2 days license suspension.

7) **Liquor World, Inc. d/b/a Porter Square Wine & Spirits, 13 White Street, All Alcohol Package Store License # 11320**, for allegations of sale, service and/or furnishing alcohol to a minor on August 6, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. [Time Stamp: 19:50]

Present: Stevenson Robinson, owner; Attorney Trish Farnsworth; Carol King, General Manager; Officer Benny Szeto; and Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; file; and documents/correspondence submitted by the licensee.

Summary: While conducting a field investigation, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer. This was at 4:00 p.m. The operative was asked for an identification. When the operative replied that they did not have identification, the sale was completed by the clerk. The licensee testified the policy in place was that if the person looked under 30 years old, identification needs to be produced and if it is not, the sale cannot be made. The clerk violated store policy. The clerk and manager on duty were both fired. Liquor World has been in business for 36 years without any violations. They have had a service for over twenty years that comes in once or twice per month to test if staff is asking for identification. The store has only once "failed" the test conducted by the company. A new policy has been instituted requiring everyone to be carded. If they do not have identification, no sale can be made. They have added the requirement that a birth date must be entered in to the register in order to make a sale. In addition, they don't sell the types of products that attract youth. Attorney Farnsworth argued that there could not be any disciplinary action taken as the operative "entrapped" the clerk when they did not leave the store when asked for identification.

Decision: Matter taken under advisement to review case law.

8) **Inman Cambridge, LLC d/b/a Inman Square Wine & Spirits, 1226 Cambridge Street, All Alcohol Package Store License # 11542**, for allegations of sale, service and/or furnishing alcohol to a minor on August 6, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. [Time Stamp: 27:56]

Present: Joseph Sousa; Jonas Atwood; Officer Benny Szeto; and Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: While conducting a field investigation on August 6, 2019, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack

of beer. The operative reported that he was not asked for ID. Mr. Atwood admitted that this did happen and was a lapse of judgement on his part; he was the clerk that made the sale. He considered it a teaching moment. All employees were retrained. He stated that he was distracted as a woman who had just purchased a bottle of wine and came back in to report she had dropped it right outside the store.

Decision: Board found a violation and issued 2 days license suspension.

9) **Cambridge Spirits, LLC d/b/a Cambridge Spirits, 250 Kendall Street, All Alcohol Package Store License # 11486**, for allegations of sale, service and/or furnishing alcohol to a minor on August 15, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. [Time Stamp: 32:55]

Present: Attorney James Rafferty; Charles Marquardt, owner; Elizabeth Stubbs; Officer Benny Szeto; and Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: While conducting a field investigation on August 15, 2019, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer. The operative was not asked for an ID. The operative had no facial hair, was not wearing a hat, was not wearing eye or sun glasses, and did not have anything on that would obscure their face. Ms. Stubbs, the clerk who made the sale, has worked at Cambridge Spirits for over 4 years and is TIPS certified. She said the operative looked 30 years old and had light/graying hair. The operative has brown hair. The licensee contended that there was insufficient evidence to establish the burden necessary to find them responsible and that the operative did not reasonably look his age. Everyone must now provide identification. All staff will be re-trained, and signage has been posted alerting customers they must have identification ready.

Decision: Board found a violation and issued 2 days license suspension.

Note: Chief Mahoney recused himself from matter #10; he left the room during the hearing.

10) **Broadway Marketplace, LLC d/b/a Broadway Marketplace, 486 Broadway, All Alcohol Package Store License # 11421**, for allegations of sale, service and/or furnishing alcohol to a minor on August 15, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. [Time Stamp: 47:10]

Present: George Hickey; Charles Bougas; Richard Sabounjian; Officer Benny Szeto; and Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; file; and documents/correspondence submitted by licensee.

Summary: While conducting a field investigation on August 15, 2019, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack

of beer. He was not asked for identification. This was observed by Investigator Bubenik. Mr. Bougas stated that he has operated the marketplace for 25 years and never had an incident in that time. He purchased the license 10 years ago and did not have an incident until now. They have a tough policy and use DataQuest on a routine basis. If a cashier is found to have sold alcohol and not checked an identification, even if the person is of age, they are terminated. They receive complaints on a regular basis for always asking for identification. When Investigator Bubenik went back in, the cashiers had trouble finding the marked bill. The cashier who made the sale was immediately terminated. Mr. Bougas stated that he looked at the store video and, in his opinion, the operative did not look under 30 years old. He was tall with a large build.

Decision: Board took the matter under advisement.

Note: *Chief Mahoney returned to the hearing room.*

11) **Kapsco, Inc. d/b/a Cellar Wine and Spirits, 991 Massachusetts Avenue, All Alcohol Package Store License # 11316**, for allegations of sale, service and/or furnishing alcohol to a minor on August 15, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. [Time Stamp: 1:00:00]

Present: Attorney James Rafferty; Marilyn Carter, owner; George Crowley, clerk; Officer Benny Szeto; and Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: While conducting a field investigation on August 15, 2019, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer. The operative was not asked for identification. Attorney Rafferty used a phone to show Investigator Bubenik a photo taken off the surveillance tape of the licensee; Investigator Bubenik stated the individual was the operative. The photo on the phone screen was shown to the Board. Mr. Crowley stated that he has been in the business for over 40 years and has never had an incident. He thought the individual looked of age. Since the incident The Cellar has expanded their education program. Attorney Rafferty argued the operative did not reasonably look 20 years old.

Decision: Board found a violation and issued 2 days license suspension.

12) **Pemberton Fruit Orchard, Inc. d/b/a Pemberton Farms, 2225 Massachusetts Avenue, All Alcohol Package Store License # 11442**, for allegations of sale, service and/or furnishing alcohol to a minor on August 15, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. [Time Stamp: 1:15:45]

Present: Tom Saidneway; Denna Saidneway; Attorney James Rafferty; Officer Benny Szeto; and Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: While conducting a field investigation on August 15, 2019, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer. The cashier did not ask for identification. Attorney Rafferty argued the operative did not reasonably appear 20 years old. Ms. Saidneway stated that beer and wine is rung up in the front of the store. All of the alcohol staff were trained in TIPS and 21 Proof but not the cashiers that ring up the sale. When new hires come in, they are taught that any out of state identification must go through the swipe machine. They are required to card anyone who looks under 35 years of age. They are going to have an in-house training for all staff. The carding system is at the point of sale and has been for 7 or 8 years. It issues a prompt to ask for identification when liquor is scanned but there is no requirement to enter the birthdate. They are in the process of adding the requirement of putting in a date of birth to the machines in order to make a sale. The cashier who made the sale never came back to work. She had only worked there for two days. Ms. Saidneway stated that she talks to the cashiers every day about carding. It is also discussed during the hiring process. Attorney Rafferty stressed the vulnerability owners face when an employee fails to follow the law. The establishment has been in business over 48 years with no history of discipline.

Decision: Board found a violation and issued 2 days license suspension.

13) **Surya Binayak, Inc. d/b/a City Liquors, 620 Cambridge Street, All Alcohol Package Store License # 11500**, for allegations of sale, service and/or furnishing alcohol to a minor on August 15, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. [Time Stamp: 1:28:40]

Present: Binoj Pradhan; Officer Benny Szeto; and Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto.

Summary: While conducting a field investigation on August 15, 2019, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer. The operative was not asked for identification. Mr. Pradhan stated that the clerk thought the individual was over 21 years old. He apologized to the Board and stated that he always reminds the staff to check identification. The cashier involved was fired. There is now a sign at the register saying to have your identification ready. They will be doing 21 Proof Training. Mr. Pradhan stated he would accept the findings of the Board and the two days suspension. He motioned the Board to have the suspension served on the days he sends his staff for alcohol training.

Decision: Board found a violation and issued 2 days license suspension. Board denied the request to have the licensee choose the dates the suspension would be served; the suspension dates will be set in accordance with current procedures.

14) **Libby's Market, Inc., 575 Massachusetts Avenue, All Alcohol Package Store License # 11319**, for allegations of sale, service and/or furnishing alcohol to a minor on August 15, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. [Time Stamp: 1:33:32]

Present: Jaswinder Pabla; Arjun Kunwar; Officer Benny Szeto; and Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: While conducting a field investigation on August 15, 2019, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer. The operative was not asked for identification. Mr. Kunwar said the employee made a bad judgment, the employee was trying to quickly assist the customers and failed to ask for identification. They have not had an issue for a number of years. At every staff meeting they discuss not selling to intoxicated persons or to underage individuals. They use an electric card reader and a handbook. Daily reminders are now being sent to the staff through a WhatsApp group.

Decision: Board found a violation and issued 2 days license suspension.

15) **Cambridge Mall Liquor Co., Inc. d/b/a Cambridge Wine & Spirits, 202 Alewife Brook Parkway, All Alcohol Package Store License # 11313**, for allegations of: [Time Stamp: 1:39:10]

- (a) Sale, service and/or furnishing alcohol to a minor on August 6, 2016, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6; and
- (b) Attempt to and/or hindering/delaying an investigation by warning another of compliance checks on August 6, 2019, in violation of G. L. c. 138, §§ 23 and 64, and Board's Rules 13.4 and 13.5.

Present: Michael Young; David Fields; Officer Benny Szeto; Licensing Investigator Tyler Bubenik; and Chief Licensing Investigator Andrea Boyer.

Documents Considered: Hearing notice and documents attached thereto; file; and documents/correspondence submitted by the licensee.

Summary: While conducting a field investigation on August 6, 2019, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer. The operative was not asked for identification. Based on information reported after the inspection by Investigator Bubenik and Officer Szeto to Chief Boyer, a follow-up investigation was performed. Chief Boyer determined Mr. Young had called Mr. Weiner, at Sav-Mor Spirits, to let him know an investigation was taking place.

Mr. Young apologized for the infraction and explained that he takes this very seriously. He stated that he had been very involved with Cambridge Licensee Advisory Board, explained how and why it was formed and that it was designed to educate licensees. Since the infraction, the staff was re-trained in-house with Tali Schiller from the Cambridge Health Alliance. The store has been in business for over 40 years. They have instituted changes in their policies. They will now card anyone who looks under 30 years old. They issue daily reminders to staff and have installed new signage. They met with each individual staff members and had them sign a document indicating they understood the policies. Mr. Young denied he attempted to hinder an investigation when he called Mr. Weiner. Instead he stated he called Mr. Weiner to vent and discuss trainings as Mr. Weiner's family is involved in the Massachusetts Package Store Association.

Decision: Board took the matter under advisement.

16) **Fresh Pond Liquors, Inc. d/b/a Sav-Mor Spirits, 233 Alewife Brook Parkway, All Alcohol Package Store License # 11315**, for allegations of: [Time Stamp: 1:55:02]

- (a) Sale, service and/or furnishing alcohol to a minor on August 6, 2016, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6; and
- (b) Attempt to and/or hindering/delaying an investigation by warning another of compliance checks on August 6, 2019, in violation of G. L. c. 138, §§ 23 and 64, and Board's Rules 13.4 and 13.5.

Present: Attorney Stephen Miller; Michael Weiner; Officer Benny Szeto; Chief Licensing Investigator Andrea Boyer; and Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; file; and correspondence/documents submitted by the licensee.

Summary: While conducting a field investigation on August 6, 2019, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer. The operative was not asked for an identification. Investigator Bubenik stated that when he went in to the store to return the 6-pack and retrieve the marked bill used, he heard a voice say "It's Michael. The City is doing inspections." He then heard someone say, "It's too late." Chief Boyer did a follow up investigation as to the call and discovered the call was made by Mr. Weiner to his employees. Mr. Weiner confirmed to Chief Boyer he learned from Mr. Young that underage stings were being performed.

Sav-Mor Spirits has been owned by the Weiner family since 1982. The employee involved was not terminated. She had just returned to work after suffering from cancer. They used this incident as a teaching moment and had everyone re-trained through Massachusetts Package Store Association. Their policy had been to card anyone that looked under 35 years old. Now, they require everyone to look at the person first, and then ask for identification. There is more than ample lighting in the store and signage has been posted regarding their policy. They also re-issued their handbook. All employees signed a document stating that they have read and understand their policies. Mr. Weiner has been actively involved in the Cambridge Prevention Coalition developing 21 Proof Training and the Cambridge Keg Policy. Mr. Weiner denied calling the store to alert them of the underage operation but rather to remind them to card persons.

Decision: Board took the matter under advisement.

17) **Four Seasons Food Service, Inc. d/b/a Koreana, 158 Prospect Street, Common Victualler All Alcohol License # 11494**, for allegations of: [Time Stamp: 2:11:30]

- (a) Operating over the licensed capacity on July 26, 2019, in violation of G. L. c. 138, §§ 23 and 64, and Board's Rules 2.3, 2.5, 5.1 and 9; and

- (b) Failure to comply with crowd control manager requirements, in violation of 527 C.M.R. 1.00, §20.1.5.6.1-20.1.5.8.4, G. L. c. 138. §§ 23 and 64, and Board's Rules 2.3, 2.5, 5.1, 5.7, 8.3, 9.3, 9.4 and 14.

Present: Licensing Investigator Tyler Bubenik; Yun Hee Cho; Jae Chung; and Yeong Mosoe.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: Investigator Bubenik testified that he was conducting a Task Force Inspection on July 26, 2019 he counted 103 seats inside the establishment. They are licensed for 100. There was no crowd manager on site and crowd manager paperwork could not be found. A follow-up investigation was conducted on August 26, 2019. At this time Investigator Bubenik found that the crowd control paperwork had been filled out, but not every day. A second follow-up on September 19, 2019 found no violations. Koreana had been found not to be in compliance with their floor plan and crowd control manager paperwork in the past. Ms. Cho testified she had been on duty as the crowd manager that day but left at 11:00 p.m. They have since had more employees train as crowd control managers. Investigator Bubenik confirmed there were less than 100 persons on the premises when he did the inspection.

Decision: Board found no violation for operating over the licensed capacity as the issue was failure to comply with the floor plan not overcrowding. Board found a violation for failure to comply with the crowd control manager requirements and issued a 1 day license suspension to be held in abeyance for 6 months.

18) **Shalimar, Inc. d/b/a Dosa Factory, 571 Massachusetts Avenue, Common Victualler License # 11589**, for allegations of violations of G. L. c. 140, and Board's Rules 2.2, 2.3, 2.5, 2.7, 5.1, 9.1, 9.2, and 13.5, specifically: **[Time Stamp: 2:19:15]**

- (a) Failure to comply with approved plan; and
- (b) Failure to comply with, or cooperate by not complying with, the order/directives of a License Commission Investigator.

Present: Sarabjeet Pabla, owner; and Licensing Investigator Tyler Bubenik.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: Investigator Bubenik was informed by the Inspectional Services Department that Dosa Factory was operating with 29 seats. They are licensed for 20. He conducted inspections on August 9, 2019 and found 30 seats, September 20, 2019 and found 21 seats and September 23, 2019 and found 21 seats. During the most recent inspection, the extra seat was removed before he left the premises. Ms. Pabla said they had removed their lunch buffet which allowed for more seats. They were leaving one seat for employees for breaks. This has been an ongoing issue. In the past they wanted less than 20 seats so they would not need a Certificate of Inspection.

Decision: Board found a violation and issued a 1 day license suspension to be held in abeyance for 6 months.

Board's Approval of Minutes:

NMF

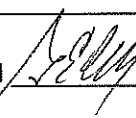


Date Minutes Approved: _____

OCT 16 2019

BGB

GEM



Date Approved Minutes Posted: _____

OCT 17 2019