

## CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION DECISION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR ANDREA JACKSON

POLICE COMMISSIONER ROBERT HAAS

ASSISTANT FIRE CHIEF GERARD MAHONEY

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

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AT: Michael J. Lombardi Building  
Basement Conference Room  
831 Massachusetts Avenue  
Cambridge, Massachusetts 02139

DATE: Tuesday, May 26, 2015

TIME: 9:04 a.m.

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P R O C E E D I N G S

May 26, 2015

EXECUTIVE DIRECTOR ELIZABETH LINT: Okay.

Good morning. This is the License Commission Decision Hearing, Tuesday, May 26th, 2015. It is now 9:04 a.m.

Before you are the Commissioners: Chair Andrea Jackson, Fire Chief Gerald Reardon and Police Commissioner Robert Haas.

And the only matter is Classic Restaurants Concepts, LLC.

CHAIR ANDREA JACKSON: Good morning.

ATTY JIM MCGRAIL: Good morning.

CHAIR ANDREA JACKSON: I just want to state for the record, the -- again, just I'm going to reiterate from our last meeting that we are doing the special hearing today to accommodate the fact that you're going to

Bankruptcy Court tomorrow, and our regularly-scheduled decision hearing wasn't until the 28th, which would not have helped you at all.

With that being said, I will let you go ahead and with any intro you wanted to give this morning.

ATTY JAMES MCGRAIL: I think we have spoken about this ad nauseam. And I'm sure we do appreciate the Commission granting us this hearing this morning and its decision such that -- in light of what we have with the bankruptcy. So, we do appreciate that.

And we've talked about this back and forth multiple different ways, so we appreciate the attention that has been made and we still await your decision. I don't know, Alex, if you have anything to add.

ATTY ALEX MATTERA: Just to reiterate this, thank you for accommodating this. I know

that it's, from this Commission's perspective, an artificial deadline, but from our perspective the Bankruptcy Court's is very real, so thank you for squeezing that in on a busy schedule.

CHAIR ANDREA JACKSON: Sure. I'm thinking if I'm to help our stenographer, if I can get you all to state your name for the record, spelling your first and last names.

ATTY JAMES MCGRAIL: James, J-A-M-E-S, last name McGrail, M-c-G-R-A-I-L.

ATTY ALEX MATTERA: Alex, A-L-E-X, Mattera, M-A-T-T-E-R-A.

BILL GOODWIN: Bill Goodwin, B-I-L-L, G-O-O-D-W-I-N.

CHAIR ANDREA JACKSON: So we had an opportunity to go back and review some of the files. And I believe, counsel, when we last met, you said that you wanted this license to be treated like the Dolphin license?

ATTY JIM MCGRAIL: Correct.

CHAIR ANDREA JACKSON: We went back and reviewed the minutes. It was interesting that when looking at the minutes from it, I think the Board's intent was to treat it as though it was -- an initial read through, it sounded like it was supposed to be a nontransferable license, and they made the point it would be allowed to be transferred if it was to his son. So the interpretation of that was it was a transferrable license.

But by the essence of it, it was not. And I think it's something as a Board we may need to go back and revisit.

I know that as a staff policy, we now have a new policy in place, so hopefully that will not happen again.

I believe the way we treated upgrades most recently is, in my opinion, and my fellow

Commissioners can chime in, is really the precedent, and I think we look at, like the Ten Tables case where they had a for value wine and malt. They wanted to upgrade to an all alcohol. The for value wine and malt was a transferrable license, they were allowed to upgrade, but they surrendered their for value wine and malt. They do have an all alcohol, but it's not nontransferable, if that makes sense.

ATTY JIM MCGRAIL: I think when we spoke at the last meeting, we looked at both of those cases and we were hoping we would fall somewhere in between one or the other.

CHAIR ANDREA JACKSON: Creating a new category, of course, so I don't know if any of my Commissioners have anything they would like to add or...?

POLICE COMMISSIONER ROBERT HAAS: I agree. I think we have to relook at the

precedent, the alleged precedent, that was created by the Dolphin Restaurant and make sure we resolve that issue. I don't see that as being a precedent-setting situation in this case.

I'm inclined to look at the Ten Tables arrangement as something more appropriate in terms of moving forward with respect to the license.

FIRE CHIEF GERALD REARDON: I am similarly the same. Ten Tables is the model that I believe I'm going to support if, in fact, that's what the Board decides.

CHAIR ANDREA JACKSON: So I don't think I need you to rehash the whole plan for the concept in terms of the restaurant. I think we covered that really clearly, unless there's anything else you would like to add?

ATTY JIM MCGRAIL: No. I think that Peter was here the last time and Bill was away at

his child's graduation.

CHAIR ANDREA JACKSON: That's right because you would rather be at a graduation than here with us.

ATTY JIM MCGRAIL: In St. Pete, on the water, but -- so Peter pretty basically spelled out the concept and I don't think there's anything to add to that.

CHAIR ANDREA JACKSON: It's small plates, cosmetic changes, et cetera?

BILL GOODWIN: Yep. I believe you have the menu.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

FIRE CHIEF GERALD REARDON: It's a full kitchen facility?

BILL GOODWIN: It's an existing kitchen facility that has passed all inspections. But as we do more clean-up and install any of the new equipment, we'll certainly be onboard with the

fire inspections and any upgrades that are necessary.

FIRE CHIEF GERALD REARDON: Okay.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No other questions.

CHAIR ANDREA JACKSON: Are there any members of the public that wish to be heard in this matter?

Seeing none -- I didn't bring down the original sheet. I don't have it.

FIRE CHIEF GERALD REARDON: This one?

CHAIR ANDREA JACKSON: Yes.

So this will be a long motion. I would like to make a motion that we approve the transfer of the wine and malt for value license

currently held by Sandrine's, LLC to Classic Restaurant Concepts, LLC, Bill Goodwin, manager, with the proposed hours of operation that were stated at the original hearing, but to include in proposed hours of the 10:00 a.m. to 1:00 a.m. on Sunday, 8:00 a.m. to 1:00 a.m. Monday through Wednesday and 8:00 a.m. to 2:00 a.m. Thursday through Saturday with a proposed seating capacity of 162.

This application also includes an entertainment license with audio tape machine/CD playing music below conversation level and three TVs. There will not be live music, if that's correct?

BILL GOODWIN: Correct.

CHAIR ANDREA JACKSON: That's my motion.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor

signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: Aye. Okay.

You all have that blank look on your face.

BILL GOODWIN: Now that it's transferred, we can surrender.

ATTY ALEX MATTERA: We surrender the old license back to you. I don't do this, forgive me. I brought the Sandrine's license with me, physical license. I surrender that to you?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

ATTY JIM MCGRAIL: For the upgrade, we can come back?

CHAIR ANDREA JACKSON: Yes, you can apply for an upgrade.

CHAIR ANDREA JACKSON: It's 9:15. I make a motion that we adjourn.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor  
signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

(Whereupon, at 9:15 a.m., the Decision  
Hearing was 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.

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## 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 27th day of May, 2015.

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Jill Kourafas  
Certified Shorthand Reporter  
License No. 14903  
Notary Public

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