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COMMONWEALTH OF MASSACHUSETTS
CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION GENERAL HEARINGS

Michael Gardner, Acting Chairman
Robert C. Haas, Police Commissioner
Gerard R. Reardon, Fire Chief

STAFF:

Elizabeth Y. Lint, Executive Officer

-- held at --

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

Tuesday, December 14, 2010

6:00 p.m.

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P R O C E E D I N G S

ELIZABETH LINT: It's License

Commission General Hearing, Tuesday, December 14, 2010. It's six p.m. We're in the Michael J. Lombardi Municipal Building, 831 Mass. Ave. basement conference room. Before you the, Commissioners; Chairman Michael Gardner, Commissioner Robert Haas and Chief Gerald Reardon.

If anyone is here for the disciplinary matter of Cafe of India, that's been continued to January 11, 2011. And Boon Road, LLC doing business as Noodle Road is off the agenda.

Application: The Western Front, Incorporated doing business as the Western Front. Marvin Gilmore, manager, holder of an all alcoholic beverages as a restaurant license at 343-347 Western Avenue has applied for a change of manager from Marvin Gilmore to Geoffrey Gilmore.

1 ATTORNEY SEAN HOPE: Attorney Jim
2 Rafferty is running a few minutes late.
3 We're second in line. Could we go ahead of
4 him in the order of procession? I think he
5 thought he was going to be second tonight.
6 And he should be here within a couple of
7 minutes.

8 MICHAEL GARDNER: I'd like to defer
9 to Mr. Gilmore on that.

10 GEOFFREY GILMORE: He has arrived.
11 (Whereupon, a discussion was
12 held off the record.)

13 MICHAEL GARDNER: So we are
14 proceeding with the application on the
15 Western Front for the change of managers.
16 Perhaps you could introduce yourself for the
17 record, please.

18 ATTORNEY JAMES RAFFERTY: I would be
19 pleased to. Thank you, Mr. Chairman. James
20 Rafferty on behalf of the Applicant. Seated
21 to my right is Geoffrey Gilmore. He may be

1 familiar to some members of the Commission
2 with keen recall. He was here a few months
3 ago as one of the witnesses in the matter
4 that occurred at the Western Front.

5 Mr. Gilmore is the nephew of Marvin Gilmore,
6 the long time owner of the Western Front, and
7 has been employed there and really been
8 overseeing operations for many years now. A
9 bit of a generational change here.

10 Mr. Gilmore, Geoffrey Gilmore has applied to
11 take over. It's the intention of the Gilmore
12 family for Mr. Geoffrey Gilmore to be more
13 actively involved in all aspects of the
14 operation, including supervising the staffing
15 and seeing to it that the operation becomes a
16 little more regularly -- customer demand is
17 somewhat erratic. Some nights have a little
18 activity, other nights have, as you may
19 recall, more than they might like frankly.
20 So, this is consistent with some
21 representations that were made at the prior

1 hearing on this matter, and also a reflective
2 of the plan that has been under discussion
3 for a while within the Gilmore family to have
4 Mr. Gilmore -- he lives at the building. So
5 he is present there nearly all the time. He
6 will continue to reside at the apartment
7 building that about the property. As I said,
8 he has been involved in nearly every aspect
9 of the business for several, several years.

10 MICHAEL GARDNER: And, Mr. Gilmore,
11 have you taken the required trainings that
12 the License Commission provides, 21-proof and
13 the TIPS training?

14 GEOFFREY GILMORE: I was a member of
15 CLAB for quite sometime. I'm not now. I'm
16 not now, but back in the day, yes, I -- at
17 least five, six years ago I've taken those
18 courses. If not, if I need a refresher,
19 that's fine. I can easily do that and join
20 CLAB and all the other, whatever is required.
21 I'm willing to do more than I have to do.

1 MICHAEL GARDNER: Any other, do you
2 have any other plans for changes in the
3 establishment besides the switch of managers?

4 GEOFFREY GILMORE: Pretty much from
5 the bottom up. I'd like to see the
6 restaurant come back. I'd like to see it be
7 more of a restaurant type neighborhood,
8 restaurant type place than a nightclub.
9 Maybe only just Saturday nights do live
10 music, something like that. But I think to
11 convince my uncle that that's the direction
12 we need to take. That's what I'd like to see
13 happen. I definitely see it improve in that
14 direction.

15 GERALD REARDON: I guess I'll be the
16 one to ask the pointed question. Will you
17 have the financial wherewithal to make
18 decisions as far as staffing?

19 GEOFFREY GILMORE: Yes.

20 GERALD REARDON: Obviously that
21 that's been discussed with Marvin and

1 Attorney Rafferty al so.

2 ATTORNEY JAMES RAFFERTY: I thought
3 that questi on 7 that Commi ssi oner Breen used
4 to ask about all the time. We don't do that
5 any more.

6 GERALD REARDON: I put that whole
7 secti on i n my past now. It's on an old hard
8 dri ve.

9 ROBERT HAAS: What's that questi on?

10 ATTORNEY JAMES RAFFERTY: Your
11 predecessor used to pay attention to the
12 entertai nment appli cati on, I believe it's
13 questi on 7. He used to take some delight i n
14 aski ng.

15 GERALD REARDON: There was quite a
16 bi t of banter between you and Captai n Breen.

17 ATTORNEY JAMES RAFFERTY: You can
18 see those days are over.

19 GERALD REARDON: Yes.

20 And I guess the restaurant part, the
21 seati ng, woul d that requi re a change of

1 descri pti on?

2 ATTORNEY JAMES RAFFERTY: It's a CV
3 License. It's been sporadic food. And
4 historically there has been more food. As
5 Geoffrey indicated, the generational change
6 in fairness, Marvin, Mr. Gilmore's uncle I
7 think has had a certain view of it. But I
8 think in many ways what Geoffrey is talking
9 about is returning the club to some of its
10 more, the neighborhood base roots, because it
11 really, it was quite a gathering spot for
12 locals for many years. And I think while the
13 neighborhood demographic has changed around
14 the location, I think the demand exists and
15 it's an authentic Cambridge, almost a
16 cultural icon, people have known it for
17 decades and it has a long history --

18 GERALD REARDON: Somewhat of an
19 institution in the City of Cambridge.

20 ATTORNEY JAMES RAFFERTY: It is. I
21 mean, you think about some of the places that

1 are known for entertainment places. And, you
2 know, they've closed Fantasia's. They've
3 closed a few of these places. This is kind
4 of a that generation, something left of
5 Cambridge. And Geoffrey realizes there's a
6 value in that brand, and he's convinced his
7 uncle to give him here the reigns now to show
8 that can work.

9 MICHAEL GARDNER: So, I think at the
10 last hearing I participated in, it was pretty
11 clear that you were very actively involved in
12 the management of the operation night by
13 night at that time. Are there any aspects of
14 the work that you have not been doing over
15 the past several years that would now be your
16 responsibility?

17 GEOFFREY GILMORE: Only the -- I
18 would say the food. I'd say everything else
19 hands on.

20 MICHAEL GARDNER: And what
21 experience, have you with food or who will be

1 handling the food for you, if you know?

2 GEOFFREY GILMORE: That is a
3 discussion we're having with my uncle right
4 now. He seems to think that it would be
5 wiser to maybe get some people that are --
6 that have more experience in that direction,
7 you know. But I'll still be working with
8 them. So, you know, I'll be there with them.
9 However, this is -- we're turning this into
10 something positive. With what we've just
11 dealt with, all that stuff we've dealt with,
12 we're going to try to make this into a
13 positive situation. I'm going to get Marvin
14 involved and make sure he realizes the
15 importance of bringing it back and, yes, get
16 the right professionals. If we need to get
17 professionals, we will get them.

18 ROBERT HAAS: So according to
19 Mr. Rafferty, and I wasn't privy to the last
20 hearing, you were there when we had the prior
21 events, so I'm assuming that you -- there's

1 Lessons I learned from that, right?

2 GEOFFREY GILMORE: Oh, absolutely.

3 ROBERT HAAS: As far as there's the
4 correlation between the kind of entertainment
5 you're offering, the kind of clientele it
6 attracts and being able to control the size
7 of the crowd. Because if it gets too large
8 and you can't be effective any longer. And
9 my understanding was the other issue is that
10 you can't rely upon your promotor or somebody
11 else to be acting as your agent as the
12 manager. So I think what I'm looking for are
13 some assurances that you are going to take a
14 firm control of the establishment, that
15 you're not going to relinquish or transfer
16 your control of the establishment in this
17 capacity as the manager.

18 GEOFFREY GILMORE: Absolutely, not
19 no.

20 ROBERT HAAS: And as I understand
21 what you're saying you're willing to do a

1 re-trainer in 21-proof?

2 GEOFFREY GILMORE: Oh, yes.

3 ROBERT HAAS: So I think, Mr. Chair,
4 I'd like to see some kind of condition added
5 if we are to move forward with respect to
6 that retraining and so --

7 GEOFFREY GILMORE: And the food
8 handlers and everything. All of it.

9 ROBERT HAAS: Well, particularly
10 anybody you have that's going to be handling
11 alcohol, I think it's wise to have them go
12 through the training as well.

13 GEOFFREY GILMORE: Absolutely.

14 GERALD REARDON: Do you have
15 fryolators or hoods right now?

16 GEOFFREY GILMORE: We have hoods.
17 It hasn't been used in seven, eight years.

18 GERALD REARDON: Okay. You know,
19 that law just changed the beginning of the
20 year so you're going to have to get that back
21 up to date before you --

1 GEOFFREY GILMORE: We have two
2 uni ts. We're sprinkled, too. There's a lot
3 of things we have in there.

4 ROBERT HAAS: So, Chief, would there
5 be an automatic inspection prior to --

6 GERALD REARDON: They have to get an
7 inspection prior to, yes.

8 GEOFFREY GILMORE: Yes. We have to
9 start from the ground up.

10 ROBERT HAAS: And, Ms. Lint, it's
11 normal for somebody who is actually doing
12 food service to provide us with an updated
13 menu so that would be a condition as well?

14 ELIZABETH LINT: Yes.

15 ROBERT HAAS: So, you're going to
16 have to give us an updated menu.

17 GEOFFREY GILMORE: A menu.

18 ROBERT HAAS: Well, whenever your
19 menu is.

20 ELIZABETH LINT: But inspections are
21 required before we would even hand over a

1 license.

2 ROBERT HAAS: He's already a food
3 establishment or restaurant. It sounds like
4 he's changing focus in terms of the business.

5 ELIZABETH LINT: Well, Mr. Rafferty
6 would be able to help him with that.

7 MICHAEL GARDNER: There's an
8 existing CV license?

9 ELIZABETH LINT: There is an
10 existing license.

11 ATTORNEY JAMES RAFFERTY: Right.
12 It's CV all alcohol currently. So it would
13 continue. It's the same category of license,
14 it's just that the actual food service has
15 been very limited in the last few years,
16 mostly items that you could get out of a
17 vending machine, that style.

18 MICHAEL GARDNER: So, I'll just ask
19 the question in terms of the practice here
20 and whether anyone thinks it's a good idea.
21 Should we be requesting the commitment from

1 you that you come back for purposes of
2 informing us with respect to when you're
3 ready to begin a more vigorous exercise of
4 your CV license?

5 GEOFFREY GILMORE: I think that's
6 fair, yes. Sure.

7 MICHAEL GARDNER: Simply to inform
8 us.

9 GEOFFREY GILMORE: Yes.

10 ATTORNEY JAMES RAFFERTY: Do you
11 want us to notify the staff?

12 ELIZABETH LINT: Yes.

13 ATTORNEY JAMES RAFFERTY: Yes.

14 MICHAEL GARDNER: All right.

15 GEOFFREY GILMORE: Sure. I want to
16 see it unique. I want to see every
17 opportunity we have for, you know, green,
18 recycling, all that stuff. Brand new.
19 Something different. Something positive.

20 ROBERT HAAS: So, what would you
21 estimate the timeline would be to kind of do

1 that retrofit, do you think?

2 GEOFFREY GILMORE: Well, two weeks
3 are gone already. My uncle is going to South
4 Africa. So, you can probably roll that into
5 a month because he's just not going to be
6 ready to, you know, get up to speed.

7 ROBERT HAAS: So, if we were looking
8 for a three-month or a six-month review that
9 would be enough time?

10 GEOFFREY GILMORE: Easily, yes.

11 ATTORNEY JAMES RAFFERTY: We have an
12 ongoing operation. We have a manager of
13 record who is an octogenarian who isn't there
14 as regularly as one would anticipate one
15 expect as the manager. This is obviously an
16 attempt to address that in the first
17 instance. This particular change of manager
18 has an added dimension to it which is it's
19 also being used as an opportunity to refocus
20 and re-prioritize and position the club. And
21 so I'd say the second part would follow after

1 the first part.

2 ROBERT HAAS: Right.

3 ATTORNEY JAMES RAFFERTY: I mean, as
4 the Chair noted, I mean in many ways the role
5 of operations has been handled by Geoffrey as
6 the operations manager. So that part of it
7 he's familiar with. But I think this new
8 piece of it will require some capital, a
9 little bit of time and all that. So I would
10 think we could be happy to report back in 90
11 days.

12 ROBERT HAAS: I'm fully supportive
13 of the retrofit. I encourage you to move in
14 that direction. I think it's the wise thing
15 to do, and I wouldn't make it conditional
16 upon the change of manager. But I think at
17 some point we want to get a better feel of
18 where you're going, what direction is. And
19 then what has the Western Front become is I
20 think what we're looking for.

21 GEOFFREY GILMORE: Sure. And I can

1 start with something as simple as taking the
2 classes. I mean, that's the first step.

3 ROBERT HAAS: I think that's
4 something you need to do right away. Because
5 you still have to maintain your liquor
6 license and operate off your liquor license,
7 so I think that's important.

8 GEOFFREY GILMORE: Okay.

9 MICHAEL GARDNER: So I would
10 entertain a motion to approve the change in
11 manager subject to Mr. Gilmore's completing
12 the 21-proof training, and any other
13 trainings recommended by staff. And
14 conditional on his reporting back to staff
15 with respect to the refocus and reemphasis on
16 the serving of food when he's ready to do
17 that.

18 GEOFFREY GILMORE: Right.

19 ROBERT HAAS: And I would request,
20 Mr. Chair, that we also add a six-month
21 review as part of that motion.

1 MICHAEL GARDNER: That would be a
2 six-month review of the entire operation?

3 ROBERT HAAS: Well, just a report
4 back as to the status of the operation.

5 MICHAEL GARDNER: Do I hear such a
6 motion?

7 ROBERT HAAS: Motion.

8 GERALD REARDON: Second.

9 MICHAEL GARDNER: All those -- any
10 discussion? Oh, wait, I'm sorry. I
11 apologize.

12 Are there any people in the audience
13 before we consider this any further, would
14 I like to be heard on this matter either in
15 support or opposition?

16 (No Response.)

17 MICHAEL GARDNER: My greenery
18 continues. All right.

19 Any further discussion on the motion?

20 GERALD REARDON: No.

21 MICHAEL GARDNER: All those in

1 favor?

2 (Aye.)

3 MICHAEL GARDNER: None opposed.

4 Congratul ati ons. Good Luck. Pl ease
5 pass on from us our best wi shes to your uncl e
6 and commendati ons for all those years wel l
7 spent.

8 ATTORNEY JAMES RAFFERTY: Thank you.

9 Good eveni ng.

10 (Gardner, Haas, Reardon.)

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1 ELIZABETH LINT: Appl i cati on HLAR
2 Real ty Trust doi ng busi ness as 2210 Mass.
3 House, Xi n Li u, resi dent manager, has appl i ed
4 for a lodgi ng house li cense wi th food at 2210
5 Mass. Avenue for 18 rooms and 18 occupants.

6 MI CHAEL GARDNER: Wel come.

7 ATTORNEY SEAN HOPE: Good eveni ng,
8 Mr. Chai r, members of the Commi ssi on.
9 Attorney Sean Hope of Hope Legal Offi ces i n
10 Cambri dge. We are here toni ght requesti ng an
11 approval of an innkeeper li cense for HLAR
12 Real ty Trust. The l ast ti me we were here
13 before the Commi ssi on we had an i ssue wi th
14 the Zoni ng for 2210 Mass. Ave. Thi s was a
15 parti cul ar uni que i ssue where the front part
16 of the, front part of the property, the fi rst
17 100 property was Busi ness A-2, and the rear
18 of the property was Resi dence B. That was an
19 i ssue because Peti ti oner wi shed to create a
20 bed and breakfast. And so when we tal ked to
21 Inspecti onal Servi ces, the fi rst step was to

1 go before the Zoning Board and to have the
2 whole property permitted for innkeeper
3 license. We went before the Zoning Board and
4 we were granted approval of the innkeeper
5 license without owner occupied which is
6 normally required, but in this instance we
7 were granted without that.

8 Petitioner's brother is actually
9 currently living and will plan on living at
10 the property at 2210 Mass. Ave.

11 I also want the Board to know that
12 Petitioner owns 2218 a Cambridge Inn in North
13 Cambridge. It's a well known, well respected
14 bed and breakfast. This is really an
15 opportunity to expand to an adjacent
16 property. Currently we applied for in the
17 application 18 rooms with 12 parking spaces,
18 and so part of what we want to present
19 tonight was one, that we have the Zoning
20 approval to be able to operate this business
21 as well as sufficient parking.

1 So, just in terms of full disclosure
2 initially when Mrs. Liu purchased the
3 property, there was some confusion because it
4 was Business A-2, under Article 4 they allow
5 for lodging houses as an allowed, as of right
6 use. And so Mrs. Liu started operating that
7 business. Hadn't come before the Commission
8 to get approval for the lodging, and that's
9 where the Zoning issue did occur. So,
10 Mrs. Liu has stopped that operation. And
11 even though the front part was zoned, it
12 wasn't the full property, so we went through
13 the proper procedures, got Zoning approval
14 and so we're here before you tonight.

15 MICHAEL GARDNER: And how long has
16 this process been, has taken?

17 ATTORNEY SEAN HOPE: This has been
18 several months now. Yes, and it really was,
19 applying for the Zoning petition as well as
20 the 30-day appeal period. That in itself
21 took three months. We actually just filed

1 and recorded the Zoning decision that gave us
2 the approval for that.

3 GERALD REARDON: What is the state
4 of the property now as far as renovations?

5 ATTORNEY SEAN HOPE: So there
6 haven't been any renovations on the property.
7 You know, she has a mixed use in the front so
8 it's office and she has some office tenants.
9 There's some vacancies as well as some
10 month-to-month tenants in some of the upper
11 floors. And so Mrs. Liu can speak more to
12 that. I think there is some improvements --

13 XIN LIU: My brothers and sisters
14 are here.

15 ATTORNEY SEAN HOPE: Her brothers
16 and sisters, and they live in the rear of the
17 property.

18 XIN LIU: Yes.

19 ATTORNEY SEAN HOPE: The rear of the
20 property was an attachment that was built as
21 a townhouse and that's in the Res B portion.

1 So now we have Zoning permission to use all
2 of it as a bed and breakfast.

3 GERALD REARDON: So I guess the
4 first question is is this going to be a major
5 renovation?

6 XIN LIU: No.

7 GERALD REARDON: Or is it --

8 XIN LIU: Right. My name is Xin
9 Liu. I'm a resident of Cambridge. And I
10 purchase the property in 2000.

11 ATTORNEY SEAN HOPE: Just speak
12 directly to -- I think the question was --

13 XIN LIU: Right. I brought some
14 pictures and to show basically going to keep
15 exactly what the property is. No addition,
16 no renovation. And then just clean up. And
17 then because it's been several years and we
18 just slowly clean up and it was a medical
19 use.

20 ATTORNEY SEAN HOPE: Right. I think
21 there was also a question about any

1 renovati ons.

2 XIN LIU: No.

3 ATTORNEY SEAN HOPE: So once you
4 started to open it as a bed and breakfast are
5 there any renovati ons?

6 MI CHAEL GARDNER: So, there are no
7 addi ti onal toi lets?

8 ROBERT HAAS: The commerci al
9 property that's in there now is sui table to
10 be converted into resi denti al rooms?

11 ATTORNEY SEAN HOPE: Yes. The front
12 part was actual ly a dental offi ce so it was
13 al ready secti oned into di fferent sui tes and
14 offi ces. And actual ly the bathrooms are
15 l oca ted in the mi ddle of each hal l way. So,
16 it's al most set up al ready for bed and
17 breakfast for offi ce space the way it was.
18 It sounds as though there's not any
19 renovati ons. Obvi ousl y bui l di ng permi ts
20 woul d have to be pul led i f there was any
21 maj or renovati ons in the interi or.

1 GERALD REARDON: So, it's already
2 cordoned off for 18 units as is?

3 ATTORNEY SEAN HOPE: Yes.

4 XIN LIU: Yesterday -- we went over
5 some rooms is --

6 ATTORNEY SEAN HOPE: Yes. We
7 brought -- and this is part of the
8 application.

9 GERALD REARDON: You have to up to
10 date fire alarm?

11 XIN LIU: Yes. The fire alarm
12 because it was a mixed use and a lot of
13 tenants live there already, and some of them
14 rented them monthly, when I was purchasing
15 it, because the 2218 was the first B&B in the
16 city and that was 1983. So the 2210 is the
17 subject property --

18 GERALD REARDON: There's one
19 structure between the two units, right?
20 There's one other property between the two?
21 There's your original and then there's

1 another house and then there's this one,
2 correct?

3 XIN LIU: No.

4 GERALD REARDON: Are they side by
5 side?

6 XIN LIU: They are side by side.

7 GERALD REARDON: Oh, they are.
8 Okay. I'm sorry.

9 XIN LIU: There's another one is
10 owner, the New England School of English.
11 They get the lodging bed and breakfast.

12 GERALD REARDON: Okay.

13 XIN LIU: And so the third floor was
14 already residential. And the first floor
15 offices, residential. Third floor -- second
16 floor dentist and residential. So the back
17 floor, basement residential. Second floor
18 residential. So it's just a -- till now I
19 have like 12 electricity and utility bills.
20 So --

21 ATTORNEY SEAN HOPE: To the

1 Chairman's question, so if you were to grant
2 approval tonight, we would have to have fire
3 inspections. I know that previously, you
4 know, there was smoke detectors in there.
5 I'm not sure and Mrs. Liu in terms of the
6 requirement for a CO-2 detection.

7 GERALD REARDON: They're going to
8 require full stations. You know,
9 audio-visuals, horns, and so on. And there's
10 issues on electrical and break down. And so
11 I'm sure there is renovation that needs to be
12 done, whether it's structural or not --

13 ATTORNEY SEAN HOPE: Yes. We'd have
14 to have a full fire inspection and building
15 code.

16 GERALD REARDON: And also LSD in
17 terms of doors. And what the fire rating is
18 on doors to corridors and so forth. So I
19 mean there's --

20 XIN LIU: First floor there are four
21 exits. The front have one, side have one,

1 and the back has two. And the second floor,
2 the front and the back has it.

3 GERALD REARDON: So there's two
4 stairways?

5 XIN LIU: Right.

6 ELIZABETH LINT: It's my
7 understanding that she's been operating as a
8 lodging house for quite sometime and that's
9 what brought this all in.

10 XIN LIU: Right. What happens is
11 that --

12 ELIZABETH LINT: Without being
13 licensed.

14 XIN LIU: What happened that the
15 second floor was a dentist office, and the
16 lease was commercial lease. And the dentist
17 wasn't out until 2008. And the other
18 tenants, they are considered as residents or
19 resident with the leases or resident-at-will.
20 When I purchase the property, and that was a
21 mixed use. And that's my understanding. And

1 then economy was not good. And then my
2 sister and brother immigrated to this
3 country. They were planning to apply for
4 massage therapist because she's a nurse and
5 slash traditional massage therapist. And
6 then it didn't quite work out.

7 And then 2009 basically I had
8 everything just the way it is because there's
9 a major illness in my family. My father
10 passed away in 2009. That whole year I
11 didn't do anything. And I was at one point
12 plan to sell it because I couldn't even fill
13 up 2218. And then 2010 the economy was
14 getting a bit better, and my brother and my
15 sister and my father passed away all moved in
16 with me. And then I was beginning to move
17 towards the lodging because I know my
18 next-door neighbor New England School of
19 English, they got the license right away.
20 And I was here to support it because I feel
21 there's a need, and also in North Cambridge

1 growth communi ty and then Communi ty
2 Devel opment of the Ci ty of Cambri dge, they
3 approach me. I forgot, Mr. Howard and he
4 said, you know, Li u, I like the way you
5 preserve the homes. And then Council l or
6 Crai g Kel ley. And then someone ki nd of gi ve
7 me the suggesti on and gi ve me the courage
8 that you can do it, a B&B. And so that' s why
9 I' m here today. And I have all the support
10 letters.

11 I can go back to do medi cal use, but
12 the doctor told me, Xi n Li u -- he is
13 reti ring. Doctor Wi l son. He said one thi ng
14 I don' t want you to do is to rent to another
15 medi cal denti st offi ce. And he' s sti ll ri ght
16 now operati ng j ust a three stops away. And
17 then that' s the other i ssue.

18 So I' m i nheri ted wi th a mi xed use, back
19 and the front, and then l ong -- I was wrong.
20 I shoul d as soon as, you know, am now goi ng
21 to use the denti st offi ce as soon as my

1 sister cannot do massage therapist, and I
2 should do right away. But I just don't have,
3 I'm a full-time school teacher. And until
4 today I'm still occupied full time in City of
5 Medford. But as soon as got the letter, I
6 said this is exactly what I've been planning
7 as soon my vacation, summer vacation started,
8 I'm going to apply for it. So I got a letter
9 from the City of Cambridge, and I came here
10 right away to apply for it. And I knew
11 exactly because I have the map that I can
12 apply for it for the front as I'm doing for
13 the front. But the back is connected.
14 They're all connected. And then they said if
15 you do that because the -- they dig out from
16 somewhere the back were added on in 1990 was
17 licensed as medical office, and the front
18 wasn't. But I said the front is a medical
19 use, the back is owner occupied.

20 GERALD REARDON: So how many units
21 are in the back now, 12?

1 XIN LIU: No, the back has one, two,
2 three, four.

3 GERALD REARDON: Four?

4 XIN LIU: Four.

5 GERALD REARDON: So there are four
6 lodging units that you have in there for a
7 while?

8 XIN LIU: Yeah, it has a basement.
9 Five.

10 And even right now even if I apply for
11 18, my sister live and my brother live and we
12 may not use all of them.

13 GERALD REARDON: Well, I guess the
14 point was you should have been a lodging
15 house before this?

16 XIN LIU: It should be a lodging
17 house, right.

18 MICHAEL GARDNER: Can you describe
19 for us a little bit your business plan,
20 average length of stay you're expecting or
21 the kind of clientele that you expect to use

1 the facility?

2 XIN LIU: Basically more for weekly
3 and monthly, and that's what the market is.
4 And especially with online reservation and
5 the New England School of English. They have
6 a dormitory and they have the student
7 learning English, and they come here -- they
8 want to stay weekly and monthly. So, I'm a
9 alumni of Northeastern University. So, I
10 have the students from live in China, they
11 come here and they want a few day to stay
12 before they go to move to their dormitory.
13 So it's very affordable. It's anywhere -- I
14 don't know, 400, 500 -- people have no place
15 to go except for a quality and, you know,
16 this save, save, save. And I've been doing
17 this bed and breakfast. I know security and
18 the fire alarm and what the security is No. 1
19 concern. And we have -- this is --

20 ATTORNEY SEAN HOPE: That's fine.

21 MICHAEL GARDNER: So, you don't

1 expect to be renting to people on extended
2 months to months going out for long periods?
3 You expect turnover on a weekly or a monthly
4 basis? Is that what you're targeting?

5 XIN LIU: Yes.

6 ATTORNEY SEAN HOPE: And,
7 Mr. Chairman, I think part of it was some
8 confusion about how long people could stay
9 initially because it was mixed use and I
10 think that's what triggered the need for a
11 license. That she had -- it went from
12 commercial to mostly residential tenants, and
13 then it was alerted by ISD that you're
14 operating an inn without an innkeeper's
15 license. So, we went actually through the
16 requirements for an innkeeper and realizing
17 the way she was operating the bed and
18 breakfast at 2218, is the same way she has to
19 operate this business. So, you know, you
20 can't do the month-to-month which becomes
21 like a residential tenant. You can't do

1 multiple or tenant for years lease. You're
2 going to have to do what requires, three and
3 four night stays. It sounds like there is
4 the business for that. But I think initially
5 there just wasn't that understanding, and she
6 almost kind of back -- fell into it backwards
7 about all of a sudden you have these people
8 that are staying there. Her family is living
9 there also in the rear, I think is an
10 exception because of the degree of kinship
11 that they can live there without it being
12 considered a lodging house. So she's going
13 to have some family living in the rear, but
14 in terms of operating business, anyone who
15 comes and pays and has the bed and breakfast
16 experience, would be for the few days and not
17 an extended length of time.

18 GERALD REARDON: So it's going to be
19 18 rooms total?

20 ATTORNEY SEAN HOPE: Uh-huh.

21 GERALD REARDON: And some of them

1 will be family?

2 XIN LIU: Uh-huh.

3 GERALD REARDON: So you'll have less
4 than that to be available for rent?

5 XIN LIU: Uh-huh.

6 MICHAEL GARDNER: But you are
7 applying for a lodging house, right?

8 XIN LIU: Bed and breakfast --
9 lodging.

10 ATTORNEY SEAN HOPE: We had this
11 problem at Zoning. So it's an inn holder's
12 license, and under inn holder's it's a bed
13 and breakfast or a tourist house, and we want
14 the bed and breakfast and that's what we were
15 approved for.

16 XIN LIU: And also we provide the
17 breakfast, it's continental breakfast, that's
18 what gets served. And one thing when you
19 have bed and breakfast, all you need do is to
20 help the difficulty of the lodgers, the bed
21 and breakfast. So there is a common area

1 where they have breakfast, but no cooking.

2 ATTORNEY SEAN HOPE: Right.

3 MICHAEL GARDNER: And your
4 understanding of what the limitations are on
5 length of stay with the bed and breakfast
6 license you're applying for --

7 XIN LIU: Yes.

8 MICHAEL GARDNER: -- are what? What
9 is your understanding of that limitations?

10 XIN LIU: My understanding is that
11 the License Commission definition bed and
12 breakfast is daily, weekly and monthly. And
13 so no residence established.

14 ATTORNEY SEAN HOPE: I think the
15 term is used transient housing, and that's
16 the distinction that no one's going to --
17 because when you have a month-to-month
18 tenancy, you actually have legal rights to
19 stay there. And you have to be evicted as
20 opposed to transient housing which is the
21 purpose and our goal for that.

1 XIN LIU: Yes. And that's why we
2 have a 24-hour staff. And also is operated
3 all year round. So it's always people there.

4 MICHAEL GARDNER: And would you
5 describe your experience in operating an
6 establishment like this? You have the one
7 already, and how long have you been doing
8 that?

9 XIN LIU: I had the one next to it,
10 Cambridge House in 2004. And then before
11 that I am also the owner of Friendly Inn in
12 Harvard. And that's still in operation.
13 That's in 1995. So I have 15, 16 years
14 experience.

15 MICHAEL GARDNER: And how many units
16 are those two?

17 XIN LIU: One is 17, and Cambridge
18 House is 15. And they are all, they're all
19 just existing homes.

20 MICHAEL GARDNER: And do those
21 operate along the same model idea as you're

1 planni ng here?

2 XIN LIU: Ri ght. Yes.

3 ELIZABETH LINT: If I may,

4 Mr. Chai r, the Li cense Commi ssi on i s very
5 fami li ar wi th Ms. Li u. She has had two
6 busi nesses for a very long time. And that's
7 why the pri or Chai rman was so di sturbed that
8 she had purchased another locati on and was
9 operati ng i t knowi ng full well that she
10 needed to be li censed by the Commi ssi on. And
11 that's how thi s all spi ralled.

12 ROBERT HAAS: So, how di d I SD fi nd
13 out that you had thi s probl em?

14 XIN LIU: I mysel f --

15 ROBERT HAAS: Di d they respond to a
16 compl ai nt?

17 XIN LIU: No, I mysel f -- I had
18 contacte d the law fi rm -- I mean, once I run
19 i nto Mr. Rafferty and I sai d I woul d like to,
20 you know, look for thi s one li cense. And he
21 sai d, please gi ve me a call. And then i t's

1 all my fault. You know, MCAS, MCAS.
2 Everyone talk about MCAS. And being a school
3 teacher I always do that. And secondly my
4 father had operation, cancer operation
5 December 11, 2007. And 2008, and basically
6 everyday I had to go to the hospital. And
7 2009 I lost my father. And 2010 and then
8 finally I collect my hands together, and also
9 the economy was bad. I had contacted one
10 hotel in this city to sell my property.
11 That's the other reason. And it's not fully
12 operating. I have offices. The offices, I
13 have the long term, you know, monthly. And
14 then occasionally that's what they had
15 before, two, three rooms. And then whatever
16 is tax the things and everything is done that
17 way. And then thirdly, I was a little bit
18 confused, you know. And then this is my tax
19 thing. It's commercially taxed. The front
20 -- that back building, I myself called the
21 City of Cambridge tax. I said, now this is

1 commercial. I know it's mixed use. I said I
2 want to do a lodging, should I change my tax
3 first or should I go for a license first?
4 And they said oh, you should do a license
5 first. So I called them. I, I was in the
6 process of applying for a license. And I
7 know my rights because I know there's a
8 Zoning -- I even come to Ranjit. I said,
9 should I add to existing 2218 or do a
10 separate one? He said do a separate one
11 because you have two separate properties.
12 And then I say -- and then he also said that
13 the other reason we do not want you to have
14 one license because one day you're going to
15 knock it down, the whole thing, and build a
16 huge building with hotel. I said, that's
17 never would happen in my lifetime because my
18 family and I we moved into Cambridge. We
19 love what it is and we want to preserve the
20 Victorian homes. And North Cambridge is in
21 the process of preserving it as a historical

1 residence. And they applaud me. So I have
2 all this....

3 ROBERT HAAS: Who's going to manage
4 and run the day-to-day operations of 2210
5 now? Is it going to be family members or is
6 it going to be you?

7 XIN LIU: Family members. My
8 brother.

9 MICHAEL GARDNER: And you said
10 before that you had started it, the process
11 with the expectation that school being out
12 you'd be able to, I take it apply your time
13 to it. School's still in now. How are you
14 going to be doing this while you're still
15 teaching?

16 XIN LIU: Well, the things that a
17 front desk person. In Cambridge House has
18 front desk person. New England School of
19 English has -- and they call. They call,
20 they want this long term. And then they help
21 you. And we have a rental people, and the

1 rental people knows that we have this
2 affordable and short term. So if they are
3 going to move some students in and they have
4 this, a few days and they have nowhere to go
5 they refer to them. And then when we have
6 people that that's been over and then we
7 basically we, and also I'm a workaholic and
8 I, I also take care of the business.

9 MICHAEL GARDNER: So, in the next
10 few months presumably there will be a lot of
11 work in terms of making sure you have all of
12 the fire and Inspectional Services
13 inspections that are required and getting
14 whatever the final set up is. That will be
15 you being primarily responsible for that or
16 will that be delegated to someone else?

17 XIN LIU: Delegated to someone else.
18 It's -- we have Don, he is one of the
19 employee, and then we also hire people as we
20 have the need. I already contacted someone,
21 you know, who's doing this fire alarm and

1 that's what we are using for other
2 properties, and they are doing this alarm
3 monitor control and it's 24 hours. So
4 anything happen with the signal, go to them
5 first and then go to us and then I think --

6 ATTORNEY SEAN HOPE: As Ms. Liu is
7 saying, she's always going to have vendors to
8 provide some of the security necessary, but
9 like this application, as a trustee of the
10 HLAR Realty Trust, like this application we
11 had to pull a building permit, you would have
12 to hire the contractor, but she maybe not
13 doing the physical work herself, but she's
14 been responsible for all the properties and
15 she takes responsibilities. And if there was
16 a situation, we would be back here with
17 Mrs. Liu not somebody else. It would be her
18 answering the questions. So, I think the
19 idea that there are vendors and she has
20 people on-site with that.

21 GERALD REARDON: I must say 2218 has

1 a very good reputation. It's a nice looking
2 property.

3 XIN LIU: Thank you.

4 MICHAEL GARDNER: Any other
5 questions from commission members?

6 ROBERT HAAS: No questions.

7 MICHAEL GARDNER: Anything else you
8 would like to say before we open it up to the
9 floor?

10 XIN LIU: I just wish you give me
11 support because it's not that easy to run a
12 business.

13 MICHAEL GARDNER: Are there any
14 members of the public here who would like to
15 speak either in favor or in opposition to
16 this application?

17 XIN LIU: Oh, that's Mr. Valenti.
18 He just --

19 ELIZABETH LINT: He needs to come
20 up.

21 ANTHONY VALENTI: I'm her neighbor,

1 and she's a delightful woman.

2 MICHAEL GARDNER: If you would like
3 to put your comments on the record, sir, we
4 need you to come up front and identify
5 yourself and then you can speak.

6 ANTHONY VALENTI: Oh, okay. Anthony
7 Valenti.

8 ELIZABETH LINT: You don't have to
9 wait for me.

10 ANTHONY VALENTI: Oh, I thought you
11 were going to ask me something.

12 ELIZABETH LINT: No.

13 ANTHONY VALENTI: She's a neighbor
14 in Belmont, Medford very conscientious and is
15 on the job 90 percent of the time. I think
16 she sleeps ten percent and that's not enough.
17 That's all I wanted to say.

18 GERALD REARDON: Are you an abutter
19 in Cambridge, neighbor?

20 ANTHONY VALENTI: No, I just work in
21 the area so I know of her. But she's very

1 conscientious and responsible.

2 MICHAEL GARDNER: All right. Thank
3 you.

4 ANTHONY VALENTI: You're welcome.

5 MICHAEL GARDNER: Anyone else who
6 would like to speak?

7 (No Response.)

8 ELIZABETH LINT: I do have a letter
9 of support from Counselor Reeves which I
10 believe I have given you all a copy of and
11 will make part of the record. He says
12 Ms. Liu has owned and operated Cambridge
13 House in Porter Square as a successful bed
14 and breakfast. For many years it's been a
15 valuable asset to the North Cambridge
16 community.

17 ROBERT HAAS: So, Mr. Chair, I'd
18 make a motion to approve the license
19 application on the condition that all the
20 required inspections are completed
21 successfully.

1 MICHAEL GARDNER: Second for that?

2 GERALD REARDON: Second.

3 I guess we have to come up with what
4 the condition is on the potential backfield
5 in the lodging that was in remiss. So, I
6 leave that up to Ms. Lint.

7 ELIZABETH LINT: Well, I don't know
8 exactly how many years she was in operation
9 until it was discovered by ISD that it was in
10 fact a lodging house.

11 MICHAEL GARDNER: Well, so is it --
12 in terms of appropriateness, we ask the
13 applicant to supply us with an Affidavit as
14 to when the non-conforming use began, and we
15 will have that and obviously that's subject
16 to verification or investigation. And then
17 assuming that that's determined to be
18 accurate, you can make the back fee
19 assessment on the basis of that?

20 ELIZABETH LINT: Yes.

21 MICHAEL GARDNER: Is that part of

1 your motion, Mr. Commissioner?

2 ROBERT HAAS: Absolutely.

3 MICHAEL GARDNER: Do I hear a
4 second?

5 GERALD REARDON: Second.

6 MICHAEL GARDNER: Any discussion?

7 ROBERT HAAS: No discussion.

8 MICHAEL GARDNER: All those in
9 favor?

10 (Aye.)

11 MICHAEL GARDNER: Opposed?

12 (No Response.)

13 MICHAEL GARDNER: The Ayes have it.
14 Good luck. Congratulations. Wish you well.

15 XIN LIU: Thank you very much.

16 (Gardner, Haas, Reardon.)

17

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1 ELIZABETH LINT: Appl i cati on CCHH
2 Cambri dge, LLC doi ng busi ness as Hyatt
3 Regency Cambri dge, Mi chael Hi ckey, manager,
4 holder of an al l al coholic beverages as a
5 hotel l i cense at 575 Memori al Drive has
6 appl i ed for a change of manager from Mi chael
7 Hi ckey to Stacey Ni chol s.

8 HOWARD WAYNE: Good eveni ng. My
9 name i s Howard Wayne and I 'm here
10 representi ng the Appl i cant, the Hyatt
11 Corporati on. And I have wi th me Stacey
12 Ni chol s, the proposed new manager for the
13 l ocati on. And I thi nk you' ll see i n the fi le
14 that she' s had hi stori es wi th other
15 managerial posi ti ons wi th Hyatt over the l ast
16 ten years, and she coul d expl ai n i t to you i f
17 you l i ke. And she i s a ci ti zen of the Uni ted
18 States whi ch i s the other requi rement.

19 MI CHAEL GARDNER: I thi nk i t woul d
20 be hel pful i f you coul d j ust i ntroduce
21 yoursel f to the Commi ssi on and gi ve us a

1 brief summary of your experience.

2 STACEY NICHOLS: Happy to do it,
3 Mr. Chair. My name is Stacey Nichols. I've
4 been with Hyatt as a manager for almost 23
5 years. January will be my 23rd anniversary
6 with the company. My job previous to this
7 was general manager of the Hyatt Deerfield
8 which is a full service Hyatt Hotel in the
9 North Shore of Chicago. Outside of that
10 hotel I've been in management positions of
11 Hyatt in eight other full service Hyatt
12 Hotels throughout the country.

13 MICHAEL GARDNER: And how long have
14 you been in the Cambridge area?

15 STACEY NICHOLS: Oh, a little over
16 two months. I was named at the end of
17 September.

18 MICHAEL GARDNER: And are you
19 currently functioning as the manager or the
20 manager in training or what's your status,
21 and where is, I'm sorry, Mr. Hickey.

1 STACEY NICHOLS: I began as the
2 general manager September 27th of this year.
3 And Mr. Hickey is now the manager of the
4 Hyatt Harborside. So he went to one of
5 our --

6 GERALD REARDON: Is that close to
7 the Milwaukee Border?

8 STACEY NICHOLS: It's close, yeah.
9 It's very close to --

10 GERALD REARDON: On Lake Forest?

11 STACEY NICHOLS: -- to Wisconsin.
12 Not quite to Lake Forest.

13 GERALD REARDON: Okay.

14 STACEY NICHOLS: Eight miles south
15 of Lake Forest.

16 ROBERT HAAS: Have you held a liquor
17 license in your name before?

18 STACEY NICHOLS: In my name? No.

19 ROBERT HAAS: Have you done 21-proof
20 training?

21 STACEY NICHOLS: I have.

1 ROBERT HAAS: You have?

2 STACEY NICHOLS: Uh-huh.

3 MICHAEL GARDNER: Ms. Lint, anything
4 of note in the application?

5 ELIZABETH LINT: Background check's
6 fine.

7 GERALD REARDON: Background's all
8 set?

9 Make a motion to approve.

10 MICHAEL GARDNER: Well, why don't we
11 at least ask if members of the audience --

12 GERALD REARDON: Oh, that's right.

13 MICHAEL GARDNER: You're a little
14 new to this, I'm sorry.

15 GERALD REARDON: It's only my 34th
16 year.

17 ELIZABETH LINT: A novice.

18 MICHAEL GARDNER: Before we take
19 action on this are there any members of the
20 audience who would like to speak either in
21 favor or in opposition to this transfer?

1 (No Response.)

2 MI CHAEL GARDNER: Heari ng none.

3 ROBERT HAAS: Chi ef?

4 GERALD REARDON: I make a moti on to
5 approve.

6 ROBERT HAAS: I second i t.

7 GERALD REARDON: Subj ect to any
8 condi ti ons, and that they' re al l approved
9 ri ght now, ri ght? Everythi ng' s back?

10 ELI ZABETH LI NT: Yes.

11 MI CHAEL GARDNER: Al l ri ght. Al l
12 those i n favor?

13 (Aye.)

14 MI CHAEL GARDNER: Opposed?

15 (No Response.)

16 MI CHAEL GARDNER: Congratul ati ons,
17 good l uck.

18 STACEY NI CHOLS: Thank you very
19 much. Ni ce to meet you al l .

20 (Gardner, Haas, Reardon.)

21

1 ELI ZABETH LINT: Appl i cati on:
2 Al gi ers Corporati on doi ng busi ness as Al gi ers
3 Coffee House. Nadi r Bendj anni , manager, of
4 holder of wi ne and mal t beverages as a
5 restaurant l i cense at 40 Brattl e Street has
6 appl i ed for a change of manager from Nadi r
7 Bendj anni to Emi l e Durzi .

8 MI CHAEL GARDNER: Pl ease i denti fy
9 yoursel f for the record.

10 EMI LE DURZI: My name i s Emi l e
11 Durzi , I 'm the owner and presi dent of Al gi ers
12 Corporati on. I 'm appl yi ng to comi ng back as
13 the manager.

14 MI CHAEL GARDNER: Were you
15 previ ousl y the manager?

16 EMI LE DURZI: Yes.

17 MI CHAEL GARDNER: And how has i t
18 been si nce you' ve been the manager of record?

19 EMI LE DURZI: Fi ve years ago. Four
20 years ago.

21 MI CHAEL GARDNER: And pri or to that

1 how long had you served as manager?

2 EMILE DURZI: 35.

3 MICHAEL GARDNER: 35?

4 EMILE DURZI: Years.

5 MICHAEL GARDNER: 35 years.

6 GERALD REARDON: He's got one on me.

7 MICHAEL GARDNER: And any background
8 on the reason for the change?

9 EMILE DURZI: No, just different
10 organi zati on.

11 MICHAEL GARDNER: Coul d you, coul d
12 you descri be the operati on for us in a li ttle
13 more detai l? What i t i s?

14 EMILE DURZI: It' s a coffee house,
15 food. And we have a li quor li cense for beer,
16 wi ne. We' ve been in operati on for 40 years.

17 MICHAEL GARDNER: And your hours of
18 operati on, si r?

19 EMILE DURZI: Ei ght in the morni ng
20 unti l mi dni ght.

21 MICHAEL GARDNER: And, Ms. Li nt,

1 complaints in the record?

2 ELIZABETH LINT: Never. We're very
3 familiar with them, and it's just a great
4 operation.

5 GERALD REARDON: Business doing
6 well?

7 EMILE DURZI: Very good.

8 GERALD REARDON: Is it? That's
9 good.

10 ELIZABETH LINT: Always good. AND
11 they do their renewals on time.

12 ROBERT HAAS: That's always good.

13 ELIZABETH LINT: He's always good.

14 MICHAEL GARDNER: Any other
15 questions from the Commissioners?

16 ROBERT HAAS: No other questions.

17 MICHAEL GARDNER: Before we act on
18 this, are there any members of the audience
19 who would like to speak in favor or in
20 opposition to the transfer?

21 (No Response.)

1 MI CHAEL GARDNER: Heari ng none.

2 GERALD REARDON: Make a moti on to
3 approve.

4 ROBERT HAAS: Second.

5 EMI LE DURZI : Thank you very much.

6 MI CHAEL GARDNER: Wel l , we have to
7 vote yet.

8 All those i n favor?

9 (Aye.)

10 MI CHAEL GARDNER: Opposed?

11 (No Response.)

12 EMI LE DURZI : Thank you.

13 MI CHAEL GARDNER: Best of l uck to
14 you for another 40.

15 (Gardner, Haas, Reardon.)

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1 ELI ZABETH LINT: Appl i cati on
2 conti nued from November 23, 2010, December 2,
3 2010, D&D Food Express Restaurant,
4 I ncorporated, Mari e Char les, manager, has
5 appl i ed to operate a mobi le canteen truck i n
6 Cambri dge. Al l stops bei ng made on publi c
7 property. The appl i cant has appl i ed to stop
8 at Vassar and Amesbury at ei ght a.m. and
9 ei ven a.m. and other potenti al stops wi ll be
10 di scussed.

11 MI CHAEL GARDNER: So wel come back.
12 I remember we've seen you a number of times
13 over the last few weeks. Cou ld you tel l us a
14 l i ttle bi t about what your pl ans are now?

15 MARI E CHARLES: What my pl ans for
16 now?

17 PANOSKY JEN-LOUIS: She --

18 ELI ZABETH LINT: There's a l i st that
19 was dropped off. I t says Green Street. I
20 don' t know where on Green Street. So that
21 doesn' t tel l me anythi ng. Mount Auburn

1 Street. Well, same thing, but that's right
2 in the middle of Harvard Square. So that's
3 in the no vending zone. Berkeley Street and
4 Garden Street was the issue we discussed last
5 hearing, that that would need to go be
6 advertised because that's a very vocal
7 neighborhood and we'd want to have notice.
8 Vassar at the Hyatt, Alewife Station, Bennett
9 and Charles. You mean the Charles Hotel?

10 MARI E CHARLES: Uh-huh.

11 ELIZABETH LINT: That's Harvard
12 Square Vending District. It says Broadway.
13 I don't know --

14 MICHAEL GARDNER: Where on Broadway
15 were you planning?

16 PANOSKY JEN-LOUIS: Did you check
17 the list?

18 MARI E CHARLES: Uh-huh.

19 PANOSKY JEN-LOUIS: You did?

20 MARI E CHARLES: Found it on the
21 book.

1 MICHAEL GARDNER: You found it in
2 the book.

3 PANOSKY JEN-LOUIS: She found the
4 stops in the book.

5 ELIZABETH LINT: Oh, I gave her the
6 rule book and it tells you where you can't --
7 basically what you can't do.

8 Just to say Green Street, the Green
9 Street is a -- where on Green Street? It
10 just can't be anywhere on Green Street.

11 ROBERT HAAS: So, Mr. Chair, maybe
12 this would be a little more helpful. I don't
13 know if this is an opportunity for Officer
14 Szeto or somebody to accompany you to where
15 you want to stop to kind of just verify if
16 it's an appropriate stop? Would that be --
17 because rather than you coming back and forth
18 all the time, it might be helpful if we can
19 just have somebody with License Commission go
20 with you, tell us where you want to have your
21 operation and just verify you're not hitting

1 of the prohibited spots. And that would be a
2 lot easier for you, I think, and when you
3 come back we can move on your license.

4 Because right now it sounds like --

5 ELIZABETH LINT: But that's not
6 something that we generally do.

7 ROBERT HAAS: No, but I'm just
8 thinking --

9 ELIZABETH LINT: Because applicants
10 really should be able to figure out where
11 they want to be.

12 ROBERT HAAS: I understand, but this
13 is the third trip back. So I'm just
14 thinking --

15 ELIZABETH LINT: I understand. But
16 that --

17 ROBERT HAAS: Otherwise I think this
18 is going to go back and forth a few times.

19 ELIZABETH LINT: Probably.

20 And we can't approve Alewife Station
21 because that's T property. We can't give

1 someone permission to be there.

2 ROBERT HAAS: No, I understand that.

3 MICHAEL GARDNER: So are you doing
4 any business in Cambridge now?

5 MARIE CHARLES: That's what I'm
6 trying to do.

7 ROBERT HAAS: No, are you operating?

8 MICHAEL GARDNER: Are you coming
9 over to Cambridge from your site in Boston
10 and doing any selling now?

11 MARIE CHARLES: Oh, no.

12 PANOSKY JEN-LOUIS: No.

13 ELIZABETH LINT: Officer Szeto
14 hasn't seen them.

15 ROBERT HAAS: Okay.

16 MICHAEL GARDNER: Well, is there a
17 sense --

18 ROBERT HAAS: It's a proposition,
19 you know.

20 MICHAEL GARDNER: Is there a sense
21 from the Commissioners that it is an

1 appropriate use of staff time to have Officer
2 Szeto accompany her along the routes or the
3 locations she's suggesting and try to
4 determine whether or not -- well, determine
5 which, if any of them, are appropriate?

6 GERALD REARDON: I would defer that
7 to Officer Szeto's supervisor.

8 ELIZABETH LINT: At the risk of
9 upsetting Commissioner Haas which I never
10 want to do, I feel that since now I have one
11 Hackney officer and not two, it puts a burden
12 on the office to be helping somebody with
13 their application that they should be --

14 ROBERT HAAS: This should help you
15 to justify getting a second officer back.

16 MICHAEL GARDNER: I think our
17 concern, Ma'am, is that you have listed so
18 few places that we feel we can in good
19 conscience approve that it doesn't appear to
20 be viable. So that makes us worry that you
21 might be tempted to stop at places which are

1 not approved, thus causing you trouble and
2 causing us problems. And we'd like to avoid
3 that. I think that Ms. Lint has indicated an
4 appropriate reluctance perhaps to single out
5 the use of staff for you as an applicant.
6 I'm wondering whether or not you have
7 resources that you can call upon to do a walk
8 through or a drive through with you and
9 identify specific locations where you want to
10 stop? So instead of saying Green Street, you
11 identify an intersection or an address or
12 addresses on Green Street so that we can
13 evaluate whether or not those stops fit our
14 criteria and we can approve.

15 PANOSKY JEN-LOUIS: Okay.

16 MICHAEL GARDNER: Am I being
17 clear --

18 PANOSKY JEN-LOUIS: Yeah.

19 MICHAEL GARDNER: -- in what our
20 concern is?

21 GERALD REARDON: Is this a small

1 mobile canteen?

2 ROBERT HAAS: No, it's a mobile
3 kitchen.

4 GERALD REARDON: It's a mobile
5 kitchen?

6 ELIZABETH LINT: Yes.

7 GERALD REARDON: You know, the first
8 time you stop at one of these things with all
9 these other vendors that's not approved,
10 they're going to make a phone call. And with
11 a larger truck, you need a place to park.
12 You can't just stop in the intersection. So,
13 you have to know, you know, get some stops so
14 you're not wasting your time.

15 ELIZABETH LINT: Well, I would say
16 as of now, Vassar at the Hyatt would not be
17 problematic I don't think. And the one that
18 we originally talked about, Vassar at
19 Amesbury, also would not be problematic.

20 GERALD REARDON: Well, it's the same
21 thing.

1 ELIZABETH LINT: No, she wanted to
2 be down by the Meridi en.

3 GERALD REARDON: Oh, okay. It's not
4 Amesbury.

5 ELIZABETH LINT: No, but it's
6 different spots on --

7 MICHAEL GARDNER: So your view is
8 she's applied for two places that are
9 appropriate?

10 ELIZABETH LINT: Yes, that I think
11 would work.

12 MICHAEL GARDNER: Are you prepared
13 to go forward with only two stops that are
14 approved?

15 MARIE CHARLES: Okay.

16 MICHAEL GARDNER: Your answer is
17 yes?

18 MARIE CHARLES: Yes.

19 PANOSKY JEN-LOUIS: Yes.

20 MICHAEL GARDNER: You understand
21 that that doesn't mean then you can drive

1 around and stop at other places?

2 MARI E CHARLES: I know.

3 ELI ZABETH LINT: Because the other
4 one --

5 GERALD REARDON: I'm not sure how
6 that's going to fly with the hotels down
7 there. They may have something to say.

8 ELI ZABETH LINT: Well, it's not
9 private property.

10 GERALD REARDON: I know.

11 ROBERT HAAS: It's just primarily
12 catering to the cab drivers.

13 GERALD REARDON: Yes, because there
14 is a big stop at the Hyatt. I mean, yes.
15 There's a large cab stand down there.
16 There's also a large cab stand down by the
17 Marriott.

18 MICHAEL GARDNER: As I recall, your
19 principal market focus is to be able to
20 supply Hai ti an --

21 PANOSKY JEN-LOUIS: Food.

1 MI CHAEL GARDNER: -- cooking foods,
2 or Hai ti an styl e foods. And you're hopi ng to
3 attract cab dri vers and other persons who
4 might be i n the area who woul d fi nd that
5 attracti ve?

6 PANOSKY JEN-LOUI S: Yeah.

7 MARI E CHARLES: Yes.

8 MI CHAEL GARDNER: And I thi nk we
9 have had some di scussi on about whether or not
10 that is i n fact a market need that it woul d
11 be hel pful to support, as I recal l?

12 ELI ZABETH LINT: Yes.

13 ROBERT HAAS: Yes.

14 MI CHAEL GARDNER: I j ust ask the
15 Commi ssi oners how they woul d feel about an
16 approval for the two stops as speci fi ed by
17 Mrs. Lint wi th a short three-month revi ew?

18 ROBERT HAAS: You understand that
19 you have to park i n a l ega l parki ng space
20 when you operate at those two l ocati ons,
21 right? So, you can't be on the si dewal k.

1 You can't be in the taxicab stands
2 themsel ves.

3 MARI E CHARLES: Yes.

4 ROBERT HAAS: So, you have to find a
5 legal parki ng space to si tuate your truck?

6 MARI E CHARLES: Yes.

7 GERALD REARDON: Whi ch i s real l y
8 di ffi cul t.

9 ROBERT HAAS: So, when woul d you
10 plan to comi ng over to Cambri dge for these
11 two stops?

12 MARI E CHARLES: When?

13 ROBERT HAAS: Yes. Duri ng the
14 course of the day, i n the morni ngs or
15 eveni ngs, when woul d you be doi ng thi s?

16 MARI E CHARLES: Morni ng and
17 l uncht i me.

18 ROBERT HAAS: And l uncht i me. So,
19 you woul dn' t be doi ng di nner busi ness at al l ?

20 MARI E CHARLES: No.

21 MI CHAEL GARDNER: Wel l , thi s says

1 eight and eleven a.m.

2 MARI E CHARLES: Breakfast and lunch,
3 that's it.

4 MICHAEL GARDNER: And I take it
5 those are the two on the license that would
6 be approved and nothing else would be
7 approved.

8 ELIZABETH LINT: But obviously it
9 would have to be juggled for a second stop,
10 because you have to have that time lapse.

11 GERALD REARDON: Now, let me ask
12 what happens, Ms. Lint, if after three-month
13 review she wishes to add more? Is that
14 another hearing all over again or can that be
15 done at the review?

16 ELIZABETH LINT: I think it really
17 depends on where it is again, because say you
18 talk about something in the Berkeley Street
19 area that's bordering Harvard Square.

20 GERALD REARDON: Berkeley Street,
21 there's a big cab stand there, I understand

1 that that's a tough neighborhood.

2 ELIZABETH LINT: And we know that
3 there are residents on that street that are
4 very vocal and come in all the time for
5 hearings. So I would --

6 GERALD REARDON: I am well aware of
7 that.

8 ELIZABETH LINT: Yes, I know you
9 are. So for a stop like that I would say
10 yes, we really would have to have another
11 hearing and advertise and all of that because
12 people have a right to be heard. If it's in
13 an area that's less residential, that's less
14 problematic, then perhaps we could...

15 MICHAEL GARDNER: We still don't
16 have the obligation to put out the same kind
17 of notice as was done here?

18 ELIZABETH LINT: Well, we are
19 supposed to. But I think if it's
20 non-residential in an area where we know
21 we're not going to have opposition, that

1 maybe we can help them out a little bit
2 because they've come back so many times.

3 MICHAEL GARDNER: If we vote to
4 approve this before your three-month review
5 comes up, at least two or three weeks before
6 that if you have other stops that now you'd a
7 like to make, you should come in and speak to
8 Ms. Lint about those and she can then decide
9 whether or not she needs to make it a subject
10 of a formal hearing. No?

11 ELIZABETH LINT: If I can just
12 address one of the other ones they mentioned
13 was 77 Mass. Ave. We have two food trucks
14 there. And Traffic and Parking does not want
15 another truck there for any reason
16 whatsoever.

17 GERALD REARDON: What was the
18 Broadway one you were looking for, was that
19 down by the Marriott?

20 ELIZABETH LINT: It just says
21 Broadway.

1 ROBERT HAAS: Probabl y down by the
2 hotel , I woul d i magi ne.

3 MI CHAEL GARDNER: Do you know where
4 on Broadway you want i t to be?

5 MARI E CHARLES: Uhm, no.

6 MI CHAEL GARDNER: Okay.

7 ELI ZABETH LI NT: I thi nk we woul d
8 have another hearing i f there were stops
9 added.

10 MI CHAEL GARDNER: All ri ght.

11 So, I woul d entertai n a moti on to
12 authori ze the appl i cati on for the two stops
13 whi ch, Ms. Li nt, are?

14 ELI ZABETH LI NT: Basi cal l y by the
15 Hyatt and by the Le Meri di en, that was the
16 other spot you wanted to be at?

17 MARI E CHARLES: Yeah.

18 MI CHAEL GARDNER: Subj ect to a
19 three-month revi ew by the Commi ssi on.

20 GERALD REARDON: Fi ne wi th me.

21 MI CHAEL GARDNER: Anybody want to

1 make such a motion?

2 ROBERT HAAS: I'll make the motion
3 that we approve the two stops, two stops only
4 on Vassar Street, at the two stops specified
5 with breakfast and lunch only, subject with a
6 three-month review.

7 GERALD REARDON: Second.

8 MICHAEL GARDNER: Is there anyone in
9 the audience who wishes to be heard?

10 (No Response.)

11 MICHAEL GARDNER: There being no one
12 else here. No one rushed in. So, I'll call
13 for the vote.

14 All those in favor?

15 (Aye.)

16 (Gardner, Haas, Reardon.)

17 MICHAEL GARDNER: Those opposed?

18 (No Response.)

19 MICHAEL GARDNER: And of course you
20 know it's very important that you comply with
21 the terms of the license and not try to go

1 beyond it and stop in places that you're not
2 authori zed.

3 MARI E CHARLES: Okay.

4 PANOSKY JEN-LOUI S: Yep.

5 GERALD REARDON: Do you have
6 propane?

7 MARI E CHARLES: Yes.

8 GERALD REARDON: You're going to
9 need an i nspecti on of the truck for fi re
10 preventi on at the fi re department, too.

11 ELI ZABETH LINT: We won't give out a
12 li cense unti l all of the si gn-offs are in.

13 GERALD REARDON: There's always the
14 i ssue when it gets i nspected and li ke Boston
15 versus --

16 ELI ZABETH LINT: I know.

17 MI CHAEL GARDNER: So you'll need a
18 Cambri dge Fi re i nspecti on; is that ri ght?

19 GERALD REARDON: Yes. They need a
20 Cambri dge Fi re i nspecti on. Propane. And
21 heal th.

1 ELIZABETH LINT: And health and food
2 handlers and all of that.

3 ROBERT HAAS: You have to set up all
4 those inspections as well. Okay?

5 PANOSKY JEN-LOUIS: Okay.

6 MICHAEL GARDNER: And are you
7 available, Ms. Lint, to give them a checklist
8 of those things?

9 ELIZABETH LINT: It's part of the
10 application process, yes.

11 GERALD REARDON: It's a full service
12 bank.

13 MICHAEL GARDNER: Well, we
14 appreciate your perseverance in coming
15 forward and wish you well. I think it's --
16 you've got a tough road, and please stay
17 within the boundaries of the license.

18 MARIE CHARLES: Thank you.

19 GERALD REARDON: Did you have a
20 previous license for a restaurant in
21 Cambridge?

1 PANOSKY JEN-LOUIS: No.

2 GERALD REARDON: No?

3 MARI E CHARLES: In Boston.

4 GERALD REARDON: I thought I

5 recognized the name. I thought you had

6 another Hai ti an food restaurant before. Good

7 luck.

8 MARI E CHARLES: Thank you.

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1 MICHAEL GARDNER: Ms. Lint, is there
2 more business before us?

3 ELIZABETH LINT: Very little.
4 Almost there.

5 Rati f i cations. Medal l i on 109 was just
6 a stock transfer. 165, 45, 189, 63, 238,
7 200, 06 and 26 were all refi nance.
8 Paperwork' s i n order.

9 ROBERT HAAS: Motion to accept.

10 GERALD REARDON: Second.

11 MICHAEL GARDNER: All those in
12 favor?

13 (Aye.)

14 (Gardner, Haas, Reardon.)

15 MI CHAEL GARDNER: Opposed?

16 (No Response.)

17 * * * * *

18 ELI ZABETH LINT: And a l i ttle
19 housekeepi ng. I need Chi ef Reardon and
20 Commi ssi oner Haas to accept the mi nutes of
21 October 12th. They are i n. They are posted

1 and they are accurate.

2 ROBERT HAAS: I would make a motion
3 to accept the minutes of October 12th.

4 GERALD REARDON: Second.

5 ELIZABETH LINT: As well as November
6 9th.

7 ROBERT HAAS: One at a time.

8 ELIZABETH LINT: Sorry.

9 MICHAEL GARDNER: You all might vote
10 on that then?

11 ROBERT HAAS: I made a motion. He
12 seconded it.

13 MICHAEL GARDNER: Right.

14 ROBERT HAAS: In favor?

15 GERALD REARDON: Favor.

16 ROBERT HAAS: Aye.

17 ELIZABETH LINT: November 9th, as
18 well.

19 ROBERT HAAS: I make a motion to
20 accept the minutes for November 9th.

21 ELIZABETH LINT: There was a problem

1 with that title page I will put on the
2 record. And I believe the new one is on the
3 way.

4 THE REPORTER: It's already been
5 sent to your office.

6 ROBERT HAAS: I make a motion to
7 accept the minutes of November 9th with the
8 noted correction.

9 GERALD REARDON: Second.

10 ROBERT HAAS: All in favor?

11 (Aye.)

12 (Reardon, Haas.)

13 ELIZABETH LINT: And one more.

14 ROBERT HAAS: Who?

15 ELIZABETH LINT: You, two. Yes,
16 November 23rd. And they're in and they're
17 posted and they were fine.

18 ROBERT HAAS: Make a motion to
19 accept the minutes for November 23rd.

20 MICHAEL GARDNER: I'll second it and
21 call for the vote. All those in favor?

1 (Aye.)

2 MICHAEL GARDNER: Minutes are
3 approved.

4 (Gardner, Haas.)

5 ELIZABETH LINT: The only one we
6 have left is November 4th. And I need Chris
7 for that one. Chris and Gerry.

8 MICHAEL GARDNER: Motion to adjourn?

9 ROBERT HAAS: We're not going to
10 have the review hearing on the 22nd, decision
11 meeting.

12 (Whereupon, a discussion was
13 held off the record.)

14 MICHAEL GARDNER: The next scheduled
15 meeting is January 11th.

16 ELIZABETH LINT: Yes.

17 MICHAEL GARDNER: Is it possible
18 that you and Superintendent Burke can come in
19 addition to the Commissioner for purposes of
20 approving the minutes at least?

21 ELIZABETH LINT: Sure.

1 MICHAEL GARDNER: Could you try to
2 make arrangements for Superintendent Burke to
3 come on the 11th?

4 ROBERT HAAS: Sure.

5 ELIZABETH LINT: I will not be here.

6 MICHAEL GARDNER: She'll remind you
7 before she leaves.

8 A motion to adjourn would be in order.

9 ROBERT HAAS: Motion to adjourn.

10 GERALD REARDON: Second it.

11 MICHAEL GARDNER: All those in
12 favor?

13 (Aye.)

14 (Whereupon, at 7:05 p.m., the
15 meeting adjourned.)

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C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS
BRI STOL, SS.

I, Catherine Lawson Zelinski, a
Certified Shorthand Reporter, the undersigned
Notary Public, certify that:

I am not related to any of the parties
in this matter by blood or marriage and that
I am in no way interested in the outcome of
this matter.

I further certify that the testimony
hereinbefore set forth is a true and accurate
transcription of my stenographic notes to the
best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set
my hand this 20th day of December 2010.

Catherine L. Zelinski
Notary Public
Certified Shorthand Reporter
License No. 147703

My Commission Expires:
April 23, 2015

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