

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION GENERAL HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR ANDREA JACKSON

POLICE COMMISSIONER ROBERT C. HAAS

ASSISTANT FIRE CHIEF GERARD MAHONEY

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

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

DATE: February 27, 2014

TIME: 10:35 a.m.

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P R O C E E D I N G S

EXECUTIVE DIRECTOR ELIZABETH LINT: We'll
move to the general hearing agenda.

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APPLICATION - SMASH BURGER

EXECUTIVE DIRECTOR ELIZABETH LINT: Savin
Burger, LLC d/b/a Smash Burger, Paul Aube,
Manager, has applied for a common victualer
license to be exercised at 589 Massachusetts
Avenue.

Said license if granted would allow food
and non-alcoholic beverages to be sold, served,
and consumed on said premises with a seating
capacity of 70.

The proposed hours of operation are 10:00
a.m. to 11:00 p.m. seven days per week.

ATTY. JAMES RAFFERTY: James Rafferty for

the applicant.

The applicant has withdrawn that application. I thought we would have sent -- we only learned of that a few days ago.

I apologize.

CHAIR ANDREA JACKSON: It has been withdrawn.

ATTY. JAMES RAFFERTY: It has been withdrawn.

CHAIR ANDREA JACKSON: All that time I spent reading, counsel.

EXECUTIVE DIRECTOR ELIZABETH LINT: And preparing your questions.

CHAIR ANDREA JACKSON: Right.

ATTY. JAMES RAFFERTY: In my world you can still send the bill. I'm not sure if in your case, Madam Chair, that's permitted.

FIRE CHIEF GERALD REARDON: We kinda knew

that, counsel. Thank you.

ATTY. JAMES RAFFERTY: I would have worn
a full suit if it wasn't.

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RATIFICATION - TIANEARN CORP

EXECUTIVE DIRECTOR ELIZABETH LINT:

Ratification: Tianearn Corporation, d/b/a YOI,
Nancy Jitjaruek, Manager, holder of a wine & malt
beverages restaurant license (not yet issued) at
1678 Massachusetts Avenue to change the d/b/a
from YOI to Mix-It.

JAMES RAFFERTY: Good morning, Madam
Chair and Members of the Commission.

James Rafferty. I'm here again on behalf
of the applicant.

CHAIR ANDREA JACKSON: So, counsel, what
is going on with the name? This is the third
name in less than a year.

ATTY. JAMES RAFFERTY: This I would characterize as an involuntary change of name.

I was contacted by an attorney in Chicago about two months ago informing me that she represented an entity in the United Kingdom that operated a sushi restaurant under this name.

And that if my client were to proceed to open under this name, she would bring the full wrath of her legal acumen on my client and started citing all types of Federal statutes involving trademark and copyright, which quickly led me to conclude I was in way over my head.

I referred the matter to someone else, who advised my client the more prudent thing would be switch rather than fight.

So this is a change of name brought about as a result of a claim of a trademark for the prior name.

FIRE CHIEF GERALD REARDON: This is duress.

ATTY. JAMES RAFFERTY: I think that's a fair assessment.

CHAIR ANDREA JACKSON: While I have you here I do have a question.

Separate and apart from the name change, what is going on with the installation of the HVAC system? Has that been done? Or when you were scheduled to open?

ATTY. JAMES RAFFERTY: My understanding is she hopes to be open in a month. I don't have any specifics on where she stands on the installation. I could get that and provide that to the Commission quickly.

CHAIR ANDREA JACKSON: So you don't know if all the construction, and I know there was some conversation with the prior Board in terms

of location of the system and placement on the roof, et cetera. I was wondering had that been resolved? And I figured while I have you here kinda held hostage I could ask you the question.

ATTY. JAMES RAFFERTY: I don't have a copy the decision in front of me.

There's a series of conditions associated with the license around the rear door, and a few other things.

And I believe the plan was going to be subject to a review, the renovation plan, but I can't recall if there was a specific about the location.

There was an issue about there was a desire to have it more forward to Mass. Ave. But there was an issue about the location of the cooking apparatus. And I know the Chief, we had

the engineer here at the hearing, and I think he identified a specific location and described how he was gonna construct some type of a shaft.

I know all of that has been reviewed as part of the building permit process by the Fire Department.

FIRE CHIEF GERALD REARDON: My question had to do with the location of it.

You can't go too far horizontal.

The question is, they were going vertical and that shaft had to be protected and the access points had to be because it was going all the way up to the roof.

ATTY. JAMES RAFFERTY: I think there's a residential use on the second floor. There was a concern about it passing through.

FIRE CHIEF GERALD REARDON: Second and

third. But yes, that was my question, is the fire protection on it.

ATTY. JAMES RAFFERTY: Right.

I would assume -- I know they were meeting several months ago with Fire in an effort to get the building permit and that issue was being reviewed.

CHAIR ANDREA JACKSON: Okay.

ATTY. JAMES RAFFERTY: I would be happy to supplement with a little memo.

CHAIR ANDREA JACKSON: I was going to ask Investigator Boyer if she had an update as well.

ANDREA BOYER: Thank you. Andrea Boyer, B-O-Y-E-R, Licensing Investigator for City of Cambridge License Commission.

We had been given the plan. It was the old plan. May I refer it to Board? Attorney Rafferty, this is the old plan and there's a

close-up of the new plan that was submitted a couple weeks ago. I think what we need is an updated and a close-up plan of the changes. Some of the items on -- let me get my glasses.

There's a proposal to have the equipment condensers in the front part and then it still has to be approved by the landlord.

So I think we are still waiting. So if they are going to open in a month, I think we should try and sit down and discuss to make sure there's no problems. And just something more firm especially if they open in a month.

ATTY. JAMES RAFFERTY: I'm sorry. I can -- that is cooling equipment and heating equipment related to the building. Is that something that the Commission wishes information on?

We had conversations about the exhaust

equipment related to the cooking.

I don't recall those items as something that was addressed.

EXECUTIVE DIRECTOR ELIZABETH LINT: Do you remember the date of the hearing because I can -- approximately? I can pull it up.

ATTY. JAMES RAFFERTY: I would say six months.

CHAIR ANDREA JACKSON: There was a hearing on April 9, 2013, and then one on September 10, 2013 was just when you changed the name.

ATTY. JAMES RAFFERTY: No.

CHAIR ANDREA JACKSON: No? That's what I --

ATTY. JAMES RAFFERTY: I think that the operative one would be the September one.

CHAIR ANDREA JACKSON: So September 10,

2013?

ATTY. JAMES RAFFERTY: Yeah.

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

That was just the change of name.

CHAIR ANDREA JACKSON: Then April 9,

2013?

EXECUTIVE DIRECTOR ELIZABETH LINT: I

must not have been here.

ANDREA BOYER: The attorney asked when this plan was submitted and it was submitted next door just a couple weeks.

CHAIR ANDREA JACKSON: Inspectional Services?

ANDREA BOYER: Yes.

With that said, I think just to have a plan to sit down. I know that was discussed at the hearing, and we want the restaurant to not have to change things after it already is

installed.

And I don't think the attorney would object to making sure that we have the most updated plan to the best of my ability, not being an acoustical engineer, to not have any future problems with the establishment and/or the residents.

And I have the notes from the hearing upstairs that maybe he and I can discuss.

CHAIR ANDREA JACKSON: Counsel, is that okay?

ATTY. JAMES RAFFERTY: Absolutely.

CHAIR ANDREA JACKSON: I would rather tackle it on the front end than coming back when everything is built and there's a problem. I would like tackle it up front.

ATTY. JAMES RAFFERTY: I apologize. I don't have a complete -- I recall the focus on

the exhaust, but I'll review whatever -- I'm well aware of the issue. The know the neighbors expressed a concern. We want to have a strong relationship with our neighbors.

CHAIR ANDREA JACKSON: Yes. So if I can ask if you can follow-up with Investigator Boyer, perhaps if there needs to be a follow-up conversation with Inspectional Services, if you could do that, that would be great.

I make a motion to approve.

FIRE CHIEF GERALD REARDON: Seconded.

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

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: Thank you. Thank you both.

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APPLICATION: NOVARTIS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Novartis Institute for BioMedical Research, Inc., has applied for a garage license with additional flammables storage at 181 Massachusetts Avenue for 458 parking spaces, 4,580 gallons of gasoline in the tanks of autos only, 22,561 gallons of Class 2 and 1,716 gallons of Class 3B.

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

This is the new Novartis complex currently under construction on Mass. Ave.

This is the essentially the parking garage. The majority of the license deals with the fuel contained in motor vehicles and then as is typical the case with life science uses

there's a range of other class of materials.

I know the engineers have met with Fire Prevention and reviewed the plans and we have a stamped plan submitted and this is a garage that was approved and contained in the Planning Board special permit and approval.

FIRE CHIEF GERALD REARDON: Was the generator out there? Is it out in that location also? I think some of the fuel is the generator.

ATTY. JAMES RAFFERTY: Yes, it is.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No.

CHAIR ANDREA JACKSON: Any members the public that wish to be heard on this particular matter?

Seeing none, I make a motion to approve the garage license with additional flammable

storage at 181 Mass. Ave for 458 parking space,
4,580 gallons of gasoline in the tanks of autos
only, 22,561 gallons of Class 2 and 1,716 gallons
of Class 3B. Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

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APPLICATION - ALFREDO'S ITALIAN KITCHEN

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Omario Group, Inc., d/b/a
Alfredo's Italian Kitchen, Omar Masood, Manager,
has applied for a common victualer license to be
exercised at 691-697 Cambridge Street. Said
license if granted would allow food and
non-alcoholic beverages to be sold, served, and

consumed on said premises with a seating capacity of 20. The proposed hours of operation are 10:00 a.m. to 10:00 p.m. Sunday through Thursday and 10:00 a.m. to 11:00 p.m. Friday and Saturday.

CHAIR ANDREA JACKSON: State your name for the record.

WILLIAM GOLDBERG: (Joking) My name is William Rafferty Goldberg representing Mr. Masood, who is a principal officer of Omario Group, Inc.

He's purchasing the assets of the restaurant known as Snack Bar at that address. And there's not to be any changes with the interior of the restaurant. It is the same footprint and he will change the menu to Italian restaurant.

He has all kinds of experience and is going to be a credit to the neighborhood and the

community and we're asking for your approval of the transfer and issuance of a victualer license in his name.

CHAIR ANDREA JACKSON: Good morning.

OMAR MASOOD: Good morning.

CHAIR ANDREA JACKSON: Can you please state your name and spell it for the record.

OMAR MASOOD: Omar Masood M-A-S-O-O-D.

CHAIR ANDREA JACKSON: Can you tell us about your experience.

OMAR MASOOD: I have over 12 years experience. I worked as a manager at Sabatino's Italian Kitchen in Arlington from 2001 to 2005.

And I was a partner in Alfredo's Italian Kitchen in Medford. And I opened my own Alfredo's Italian Kitchen in 2008 in Everett on Pearl Street. I took over Premo's on Broadway, Somerville in 2011.

And I just opened last month in Davis Square a Mediterranean grill named Shawarma S-H-A-W-A-R-M-A, Place in Davis Square last month.

And my ultimate goal to be in Cambridge.

POLICE CHIEF ROBERT HAAS: This will be your second restaurant you will be opening?

OMAR MASOOD: Third one.

POLICE CHIEF ROBERT HAAS: Where is the third one?

OMAR MASOOD: Broadway, Alfredo's Italian Restaurant, Somerville. And Davis Square, Elm Street, 201, and the first one was in 201 Ferry Street in Everett. Same name, Alfredo's Italian Kitchen.

FIRE CHIEF GERALD REARDON: Do you still have involvement with Premo's?

OMAR MASOOD: No. We took over in 2008

January 1st we opened. And we still running. So we try to move to Cambridge.

POLICE CHIEF ROBERT HAAS: When you say you are trying to move, that means you are going to close one?

OMAR MASOOD: No. We open another location. Like maybe one step up.

POLICE CHIEF ROBERT HAAS: You're going to be the manager of this new establishment?

OMAR MASOOD: Yes.

POLICE CHIEF ROBERT HAAS: Who is managing the other two establishments?

OMAR MASOOD: I have a partner over in Somerville. He's manager of that place. And recently I sold the one in Everett actually. And the one in Davis Square, I have a partner too.

POLICE CHIEF ROBERT HAAS: So you have to two partners?

OMAR MASOOD: Both in Somerville right now actually.

CHAIR ANDREA JACKSON: So you will be the manager of record for the Cambridge location?

OMAR MASOOD: Cambridge location.

CHAIR ANDREA JACKSON: Ms. Lint, was there an issue with the accessibility?

EXECUTIVE DIRECTOR ELIZABETH LINT: There's a letter from Michael Muehe, the Commission for Persons with Disabilities, that there's not sufficient access under the American with Disabilities Act and there are some readily achievable things that can be changed. So we would like you to get in touch with him.

OMAR MASOOD: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: And I can forward the letter to you. But let me give you this one. (Forwarding). Simply a

recommendation.

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

CHAIR ANDREA JACKSON: Commissioner, any questions?

POLICE CHIEF ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Chief, any questions?

FIRE CHIEF GERALD REARDON: No.

CHAIR ANDREA JACKSON: I make a motion to approve the CV license to be exercised at 691-697 Cambridge Street for Omario Group. Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

We wish you luck.

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APPLICATION: BASHA CAFE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Basha Cafe, LLC, Sara Shabana,
Manager, holder of an all alcoholic beverages
restaurant license at 26 New Street has applied
for a change of manager to Ali Kooros.

Applicant is also applying for a change
of d/b/a to Alborz Mediterranean Grill.

CHAIR ANDREA JACKSON: Please state your
name for the record spelling your last name and
identify your relationship to the applicant.

ALI KOOROS: Ali K-O-O-R-O-S.

I'm just a friend of Sara Shabana.

CHAIR ANDREA JACKSON: You are a friend

of?

ALI KOOROS: The previous manager.

CHAIR ANDREA JACKSON: Okay.

POLICE CHIEF ROBERT HAAS: Who is the
manager now?

ALI KOOROS: Sara Shabana.

POLICE CHIEF ROBERT HAAS: Is she still
manager?

ALI KOOROS: Running the place.

POLICE CHIEF ROBERT HAAS: Okay.

ALI KOOROS: We are trying to close that
one and trying to have this restaurant running
the way it is supposed to, a family restaurant.

CHAIR ANDREA JACKSON: Am I understanding
that you would be the new manager?

ALI KOOROS: The manager.

CHAIR ANDREA JACKSON: Can you tell me
what your experience is?

ALI KOOROS: I am in 26 years in the customer service, mostly automotive business. I was running the service department of the two dealership in Boston area, and I think with that experience I can run that restaurant the way it is supposed to.

POLICE CHIEF ROBERT HAAS: You have no prior experience with having an alcohol license in your name?

ALI KOOROS: No.

CHAIR ANDREA JACKSON: Without that experience, will you tell us how you would go forward in terms of having this license now in your name? What would you do?

Other than there's a requirement for 21 Proof training, but I would like you to be able to address this since you never had an alcohol license in your name before.

ALI KOOROS: The other side of the table that always bring their client to this kind of high-class restaurant, the way it is supposed to run, the way it is supposed to be, variety of drink and pretty much checking those things, and setting up the camera in the restaurant towards the bar, hiring the correct bartender for the place. Having checked the people that come in. And this restaurant going to be Mediterranean grill, is mostly family restaurant. It's not going to be much of the -- used to be all set up like that, so ...

POLICE CHIEF ROBERT HAAS: Have you had any formal training with the operation of a restaurant or alcohol?

ALI KOOROS: It's training basically from working.

POLICE CHIEF ROBERT HAAS: Have you had

any training, formal training?

ALI KOOROS: No.

FIRE CHIEF GERALD REARDON: Are you going to change the entire staff?

ALI KOOROS: Entire staff gonna be changed.

FIRE CHIEF GERALD REARDON: You changing the interior or doing any work inside?

ALI KOOROS: No. Just table cloth, going to change the curtains, the rug is -- the rug we changed to the same kind the design, family atmosphere.

CHAIR ANDREA JACKSON: How many bartenders are you proposing to hire?

ALI KOOROS: Two.

POLICE CHIEF ROBERT HAAS: Have you hired those bartenders yet? Have you hired the people to manage the bar?

ALI KOOROS: There was the two bartender interview. Those are the two I picked out. I have not worked with them because the restaurant is not running.

POLICE CHIEF ROBERT HAAS: Do you know what their experience is?

ALI KOOROS: They have a license and they worked in a couple restaurants. I don't have the paperwork with me right now. I can provide that.

CHAIR ANDREA JACKSON: Do you know what 21 Proof training is?

ALI KOOROS: Yes.

POLICE CHIEF ROBERT HAAS: How many hours do you plan on being at the restaurant?

ALI KOOROS: 30 hours. The restaurant be open right now from 5:00 in the afternoon to closing time. Thursday, Friday, and Saturday and

Sunday for the brunch.

CHAIR ANDREA JACKSON: What are the hours we have on file?

EXECUTIVE DIRECTOR ELIZABETH LINT: I think it is 2 a.m. Thursday, Friday and Saturday.

FIRE CHIEF GERALD REARDON: It might be one.

ALI KOOROS: Thursday 1:00. Friday and Saturday until 2:00.

CHAIR ANDREA JACKSON: If I'm understanding you correctly, you plan on being there from 5 p.m. until closing?

ALI KOOROS: Yes. The restaurant will be open those hours.

FIRE CHIEF GERALD REARDON: You still plan to be open until 2:00 a.m.?

ALI KOOROS: Friday and Saturday.

FIRE CHIEF GERALD REARDON: If you change

to a family style format, do you think you will still get a lot of business until then?

ALI KOOROS: Yeah. The community I'm trying to service in the field, in the medical field, they need a place to come with their family to come and eat. They not necessarily stay until 2:00, maybe they leave at 1:00. I'm planning to at least until then to have a place open because there's no place like for like this for a family.

FIRE CHIEF GERALD REARDON: You want to catch the late diners?

ALI KOOROS: Yes.

POLICE CHIEF ROBERT HAAS: Is there going to be entertainment at the restaurant?

ALI KOOROS: There's entertainment license. Mostly right now gonna be the music through the sound system. Also the two band

people with the guitar and playing soft music.

CHAIR ANDREA JACKSON: Ms. Lint, is that what they currently have?

EXECUTIVE DIRECTOR ELIZABETH LINT: I don't believe that's what they currently have. I think they have much more ramped-up entertainment.

CHAIR ANDREA JACKSON: Any questions?

EXECUTIVE DIRECTOR ELIZABETH LINT: Background is good.

FIRE CHIEF GERALD REARDON: Some advice, try to get a couple experienced bartenders since you don't have the experience.

You have the experience in the customer service, but it would be helpful that whoever you hire has some good experience to offset what you don't have.

ALI KOOROS: I understand. Sure.

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

I am a little concerned about your lack of experience.

So based on that, I want to make the motion that we approve the change of manager and change of d/b/a with the requirement of completion of 21 Proof training, and we'll give you the contact name and number, but I would also like to review this in six months.

Is there a second on the motion?

FIRE CHIEF GERALD REARDON: Seconded.

CHAIRMAN MICHAEL GARDNER: All in favor signify saying aye.

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

Thank you very much.

POLICE CHIEF ROBERT HAAS: You know you have to come back in six months?

ALI KOOROS: I understand.

APPLICATION - KENNEDY'S

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Irish Crimson, LLC d/b/a Kennedy's on the Square, Karen Murphy, Manager, has applied to transfer the all alcoholic beverages restaurant license held by Leamil Corporation d/b/a First Printer at 15 Dunster Street.

Said license, if transferred, has 72 seats inside and operating hours from 8:00 a.m. to 1:00 a.m. seven days per week.

CHAIR ANDREA JACKSON: Good morning.

ADAM BARNOSKY: Good morning, Madam Chair and Members of the Board, my name is Adam

Barnosky, B-A-R-N-O-S-K-Y. I'm here on behalf of Irish Crimson, LLC.

With me is Finbar Griffin, who is the sole member of Irish Crimson, LLC. The proposed manager of record is Karen Murphy. Karen intended to be here. There was a death in the family this week, which did require her absence.

Certainly if the Board is willing to excuse her absence, myself and Mr. Griffin can answer any questions regarding her specific experience, which is relatively vast in the restaurant industry.

Before getting into the matter, I would like to thank you the Commission and also the staff. They have been incredibly helpful throughout this process and made it very, very seamless.

We do come before the Board to request a

license transfer for the location at 15 Dunster Street.

And about the applicant, Mr. Griffin is well versed in the restaurant industry, he has several licensed establishments under Section 12 including Morgan's in Sharon, Tommy Doyle's in Newton and another Kennedy's in Norwood.

He was one of the original owners of Tommy Doyle's here in Harvard Square on Winthrop Street. And at that time I don't believe he was ever before the Board and I don't believe there were any violations.

About the proposed manager Karen Murphy, she is highly qualified.

For the past five years she has served as a food and beverage director for two different companies.

One was Claddagh Irish Pub in the Midwest

and also the East Coast Tavern group here in Boston. She is TIPS certified.

Regarding the proposed operation, there's been no significant construction. It will be aesthetics only. And the occupancy for the hours of operation will remain the same.

We'll be serving traditional American comfort food.

FIRE CHIEF GERALD REARDON: When would you think this would be in operation if it is approved?

FINBAR GRIFFIN: Once it -- once it is approved by yourself, it goes to the ABCC, whatever the time period that comes in, we would hopefully then take over that operation. So depending on the ABCC, at the moment it could be anywhere from four weeks on a very good pace or 12 weeks.

The last license we had approved by the ABCC six or seven months ago took six or seven weeks for that transfer to take place.

POLICE CHIEF ROBERT HAAS: Are they currently still doing business or are they closed right now?

FINBAR GRIFFIN: They are operating at the moment.

FIRE CHIEF GERALD REARDON: So you have construction but your change will not be drastic once you get the license in terms of --

FINBAR GRIFFIN: It wouldn't be dramatic because the operation that's been inside there has spent a lot of money rehabbing that property, and so on the back end the house, you know, from the kitchens to the offices and the whole back, there's nothing to be done.

I mean he has spent a huge amount of

money inside and on the kitchen, and it is up to criteria and I have no intention of changing any of.

I don't have any intention of changing anything within the restaurant other than cosmetically. The furniture will be changed out and the decor. Basically a cosmetic change done there.

That would possibly require the restaurant to be closed three or four days. That's all we would be seeing.

And I mean, we have worked closely with Leamil in order for them to stay open and with the landlord and they have some difficulties obviously in the operations of it.

I think it is critical in that area that we don't close and go dark and that's something we've worked out behind the scenes.

FIRE CHIEF GERALD REARDON: Who is landlord?

FINBAR GRIFFIN: Cambridge Savings Bank.

CHAIR ANDREA JACKSON: Will you be planning on serving breakfast?

FINBAR GRIFFIN: We're planning on running the same as our operation in Norwood, which is high-end comfort food.

And our hours of operation will be as quoted.

We'll do brunch on weekends Saturday and Sunday until 3 p.m. in the afternoon.

CHAIR ANDREA JACKSON: Is that a "yes"?

FINBAR GRIFFIN: (Smiling) Yes.

CHAIR ANDREA JACKSON: And the reason I was asking is, I know the license is for an 8 a.m. liquor license I was trying to understand if you were going to be utilizing that.

FINBAR GRIFFIN: I wouldn't be bringing in local fisherman. That's not my intention.

Just for the record, I have operated in Cambridge and I know he said Tommy Doyle's. Tommy Doyle's in Harvard Square, I was only involved in the initial operation there for the first couple months of operation. But I did operate Tommy Doyle's in Kendall Square for five years. 2002 to 2007.

And I then left that operation, sold that to the present or current operation.

I was not involved in the Harvard Square liquor license through anything they did in Harvard Square. I left that company. It was the Kendall Square operation. I want to make that clear.

CHAIR ANDREA JACKSON: Is everything in order in terms of abutter notifications?

EXECUTIVE DIRECTOR ELIZABETH LINT: Ms. Murphy's background check.

Can I ask a question?

The Kennedy's in Norwood, is that the one on Route 1 in the hotel?

FINBAR GRIFFIN: Correct.

CHAIR ANDREA JACKSON: Is it the Hampton Inn?

FINBAR GRIFFIN: Hampton Inn Hotel.

CHAIR ANDREA JACKSON: Any members of the public that wish to be heard on this matter?

DENISE JILLSON: Good morning. Denise Jillson executive director for the Harvard Square Business Association. Tommy Doyle's has been a member of the Association for many years. First Printer, the previous operator and owner, was also a member.

The team that came from Kennedy's, I

think took over probably in December and immediately reached out and expressed their interest in continuing their membership with the Association and really have been just fantastic, and have been partners from December, participating in several events including chili tasting contest, the Chocolate Festival, The Sparklefest. We are encouraged by their participation.

They hosted our Hospitality Committee meeting recently, and just really reached out and are actively involved in the community.

We are excited and pleased to support this application and hope you will consider it. Thank you.

CHAIR ANDREA JACKSON: Thank you.

EXECUTIVE DIRECTOR ELIZABETH LINT: I think for ABCC purposes it will require an

explanation in writing that we can submit with the application.

POLICE CHIEF ROBERT HAAS: So are you familiar with what our concern is on our background?

FINBAR GRIFFIN: No.

On my background?

CHAIR ANDREA JACKSON: Yes.

FINBAR GRIFFIN: It has been addressed with the ABCC.

POLICE CHIEF ROBERT HAAS: The incident back in 2011?

FINBAR GRIFFIN: Yes. And that was -- I went in front of the ABCC a few months ago. As far as I was concerned, it was brought to conclusion.

ADAM BARNOSKY: Was that something that came on the CORI request?

CHAIR ANDREA JACKSON: Yes.

ADAM BARNOSKY: I had asked if that was something that came up on the CORI request. This issue did arise previously during the licensing for Kennedy's in Norwood.

And we did go before the ABCC because a similar CORI came up.

That issue was, I believe, continued without a finding, and there were no -- there was no conviction. There was no record that came as a result of that matter.

POLICE CHIEF ROBERT HAAS: So it would be helpful to submit that all in writing to us so we have it as part of the file.

ADAM BARNOSKY: Yes.

POLICE CHIEF ROBERT HAAS: The dates that you went before the ABCC, that they reviewed that particular incident, and they were satisfied with

the resolution of it.

ADAM BARNOSKY: Yes.

POLICE CHIEF ROBERT HAAS: Okay.

CHAIR ANDREA JACKSON: Any questions?

POLICE CHIEF ROBERT HAAS: No.

I make a motion to approve the application with the proposed manager and change transfer of the alcohol license.

FIRE CHIEF GERALD REARDON: Seconded.

CHAIR ANDREA JACKSON: All in favor signify saying aye?

EXECUTIVE DIRECTOR ELIZABETH LINT: One issue.

21 Proof training for all managers on staff.

CHAIR ANDREA JACKSON: Okay, so can we have a friendly amendment to your motion.

POLICE CHIEF ROBERT HAAS: With the

stipulation that the manager and the staff
serving alcohol go to 21 Proof training.

Are you familiar with that?

FINBAR GRIFFIN: No problem with that.

FIRE CHIEF GERALD REARDON: Seconded.

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

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.
Thank you.

APPLICATION: HOPS N SCOTCH

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: D2J Restaurant Group, LLC d/b/a
Hops N Scotch, Joey A. Cross, Manager, has
applied to transfer the all alcoholic beverages
restaurant license held by The Royal Bharat,
Inc., d/b/a Haveli Restaurant at 1248 Cambridge

Street.

Said license, if transferred, has 99 seats inside and operating hours will be from 11:00 a.m. to 1:00 a.m. seven days per week. Applicant is also applying to pledge said license to Santander Bank and for an entertainment license to include background music below conversation level, 4 TV's, radio, and an iPod.

ADAM BARNOSKY: Hello again, Madam Chair and Members of the Commission.

I'm Adam Barnosky, B-A-R-N-O-S-K-Y. I am here on behalf of the D2J Restaurant Group, LLC.

With me are Darren Tow and Joey Cross, who are two of the partners in the restaurant group. The third partner is David Ng. His last name is spelled N-G.

Mr. Cross will serve as the proposed manager of record for the premises.

We do come before the Board for a liquor license transfer and pledge of license at 1248 Cambridge Street. That is the location at Inman Square that is currently Haveli Restaurant.

About the applicant, Darren Tow and David Ng currently run Hops N Scotch in Coolidge Corner in Brookline.

They have been running that establishment for approximately two wears. And they would like to run a similar establishment in Inman Square.

It will serve Southern comfort food, a vast array of craft beers, some high-end scotches and other spirits.

About the proposed manager, Joey Cross, he has worked in the service restaurant for over 20 years. Since 1995 he has been a bartender at the Ritz-Carlton in Boston. He was TIPS certified. He will comply with any

certifications that required of Cambridge.

And regarding the proposed operation, the hours will be Sunday through Saturday 11 a.m. to 1 a.m. They do have a brunch in the Brookline location. And I believe that they plan on having one for this location, particularly on the weekends.

They will be renovating the space. The plans were provided to the Commission. They are putting in a bar and some renovations to the walls, to the flooring, and the entire look. Not all that many exterior changes but more so to the interior.

Certainly I am happy to answer any questions the Commission may have. Thank you.

FIRE CHIEF GERALD REARDON: This is 99 seats and there's no standing room at the bar?

ADAM BARNOSKY: We have a proposal for 73

seats. I believe we can have 99. Or the occupancy is 99. We are looking at 73 seats and that's a combination of tables in one section of the bar and -- in the restaurant. And in the bar it would be a bar with a few bar rails.

FIRE CHIEF GERALD REARDON: 100 seats is a whole different story. I get nervous when it's 99. But if they are dropping down, then --

ADAM BARNOSKY: That was certainly a concern.

CHAIR ANDREA JACKSON: You said Mr. Cross will be the manager?

ADAM BARNOSKY: That's correct.

CHAIR ANDREA JACKSON: Again, if you can tell me -- if I can hear from Mr. Cross in terms of experience, please.

JOEY CROSS: I started in the Ritz-Carlton in 1995. I have been there and

still currently there. And I just worked at the Ritz and that's it.

ADAM BARNOSKY: You have been at the -- Joey's been at the Hops N Scotch.

JOEY CROSS: I opened the location with Darren Tow.

DARREN TOW: We brought him on as a partner because of his vast experience to help us run Hops N Scotch 1. He works as a night manager for our current restaurant. We rely heavily on his experience.

POLICE CHIEF ROBERT HAAS: Who will be the manager of your establishment?

DARREN TOW: Joey.

POLICE CHIEF ROBERT HAAS: Who will be -- he's now the manager of the current establishment, who will manage that establishment?

DARREN TOW: I'm the current manager.

And Joey will allow us to have ownership in every restaurant.

CHAIR ANDREA JACKSON: Have you held a liquor license in your name before?

JOEY CROSS: I have not. You said you were TIPS certified?

JOEY CROSS: Yes.

CHAIR ANDREA JACKSON: You know Cambridge and we are different and we have 21 Proof.

DARREN TOW: We were just looking into that. We currently require all our employs to be TIPS certified and we pay for that training for them.

CHAIR ANDREA JACKSON: Ms. Lint, is there another accessibility issue?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes, there are also quite a few things in the

application that need to be filled in.

ADAM BARNOSKY: I submitted an updated application to Chris O'Neil. I'm not certain if there was still anything outstanding.

EXECUTIVE DIRECTOR ELIZABETH LINT: I have little tabs, so there's a question of patio seating, and then on the application it's blank where it says "occupancy number" and "seating capacity." So I don't know if you had already corrected all of that.

There are questions about whether or not any of the disclosed licenses have ever been suspended. If all members and shareholders are at least 21 and a few others.

So if you have not updated all of that, that needs to be done. We need a date of birth for Mr. Cross. That's not on the CORI request.

And there's a question of a roof deck.

ADAM BARNOSKY: Here. I can give you this, if you would like.

This is the supplemental application that does address some of the issues, there was no roof deck. There's going to be no patio seating. That may be something we look at later. But right now, there will be none.

CHAIR ANDREA JACKSON: No live music?

ADAM BARNOSKY: I believe we did submit an entertainment license.

Although I'm not certain whether we addressed live music in that.

DARREN TOW: Our intent is to have some jazz or maybe a blues guitarist similar to what we do in Brookline which is on Sunday evening. It is all acoustic. Nothing amplified. To go along with the theme we have.

CHAIR ANDREA JACKSON: Is that --

EXECUTIVE DIRECTOR ELIZABETH LINT: It probably is given what is up there.

ADAM BARNOSKY: We included that in our entertainment license application.

I know that at the Hops N Scotch in Coolidge Corner it is used to be ancillary to anything going on.

It is not as though they are putting it out there as a draw for the premises.

More so if they have a party and they want a little background music, just to have that supplement the restaurant.

DARREN TOW: It goes on for our dinner service. It is not something where -- we are not drawing a crowd for music. It is like, as Adam said, it is just in addition.

POLICE CHIEF ROBERT HAAS: The renovations that are being proposed, is that

going to trip the requirements?

EXECUTIVE DIRECTOR ELIZABETH LINT: It depends on the amount spent. I'm not sure. I'm not sure what that figure is.

FIRE CHIEF GERALD REARDON: 50 percent of the assessed value.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

FIRE CHIEF GERALD REARDON: In a nutshell that basically deals with posting handicapped space and changing the slope on one of the ramps.

DARREN TOW: Our architect is Stephen Souza. In our design there was not a handicapped ramp and in this design he had proposed multiple designs to comply with that. I wasn't reading into that requirement. I know that was a main thing he was working on.

FIRE CHIEF GERALD REARDON: I believe you

have a ramp there now but the grade it too steep.

DARREN TOW: He mentioned that. He incorporated that in the restaurant.

We are planning on moving the door because there are steps to the side where there's --

POLICE CHIEF ROBERT HAAS: I take it there's the background checks have been completed?

EXECUTIVE DIRECTOR ELIZABETH LINT: I think they are completed. It looks to me like they are.

But the application still needs that information on it to pass along to the ABCC. And we can't fill them out.

POLICE CHIEF ROBERT HAAS: Okay.

FIRE CHIEF GERALD REARDON: So somebody

needs go back in and --

EXECUTIVE DIRECTOR ELIZABETH LINT: And
see Chris.

ADAM BARNOSKY: Can I contact Chris
following this hearing?

EXECUTIVE DIRECTOR ELIZABETH LINT: He is
upstairs.

ADAM BARNOSKY: And I'll deal with the
issue.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Absolutely.

CHAIR ANDREA JACKSON: As I see this, I
have two options. I can either continue this
matter until the application is complete. Or we
can vote to approve it contingent upon completion
of the application.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Because it is not very significant information

and I mean I probably could put the answers in
and guess at them, but --

CHAIR ANDREA JACKSON: The background
check, you said, is in order?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yeah.

CHAIR ANDREA JACKSON: I make a motion to
approve contingent upon completion of the
application and 21 Proof training.

FIRE CHIEF GERALD REARDON: Seconded.

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

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You are all set.

- - -

DISCIPLINARY - ALL COMMON VICTALER

EXECUTIVE DIRECTOR ELIZABETH LINT:

Disciplinary: All Common Victualer,

Entertainment, Disposal/Waste Hauler, Jitney, and
Used Car Dealers that failed to complete the
annual renewal process for their 2014 licenses.
So that would be Compass Group, USA, 620 Memorial
Drive.

Eurest Dining Services, 35 Cambridgepark
Drive and 360 Binney Street.

Olecito, 12 Springfield Street.

Rita's Catering, 250 Mass Ave.

Toscannini's Ice Cream, 899 Main Street.

Boston Tea Shop, 54 JFK St.

Subway, 36 JFK Street.

Market in the Square, 45 Brattle Street.

O2 Yoga Studios, 1001 Mass Ave.

Japonaise Bakery, 1815 Mass Ave.

Cafe Zing, 25 White Street.

City View, Inc. Is the only jitney that
did not pay.

Traditionally what we would do is have Andrea go by and make sure they are still in business. I believe most of are.

We would deliver a letter saying they need to pay by a certain date, or if not, we will close them.

CHAIR ANDREA JACKSON: So Andrea will go out and check.

Do you need a motion from the Board?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

POLICE CHIEF ROBERT HAAS: Is there an administrative fee we charge?

EXECUTIVE DIRECTOR ELIZABETH LINT: \$25 administrative fee.

CHAIR ANDREA JACKSON: What is the proper motion?

EXECUTIVE DIRECTOR ELIZABETH LINT: To have Ms. Boyer or Mr. --

CHAIR ANDREA JACKSON: I make a motion that one of our investigators determine whether or not these businesses are operating, and if so, deliver a letter notifying them they are not in compliance.

POLICE CHIEF ROBERT HAAS: Do we have a time period?

CHAIR ANDREA JACKSON: Within the next two weeks.

POLICE CHIEF ROBERT HAAS: As far as how much time they have to respond prior to --

CHAIR ANDREA JACKSON: Two weeks.

FIRE CHIEF GERALD REARDON: I second that.

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

POLICE CHIEF ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: And then what

about the medallions?

- - -

RATIFICATIONS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Ratifications that need to be accepted:

Medallions 38, 234, 8, 17, sale of stock of 110
and then the finance of 110. 105, 150, 56, 212,
41, 120, 106, 137, 112, 229, 169, 179, 199, 237.

FIRE CHIEF GERALD REARDON: Make a motion
to accept.

CHAIR ANDREA JACKSON: All the paperwork
is in order?

EXECUTIVE DIRECTOR ELIZABETH LINT: Oh
yeah.

CHAIR ANDREA JACKSON: Second.

All in favor signify saying aye.

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: I make a motion to adjourn.

FIRE CHIEF GERALD REARDON: Seconded.

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

POLICE CHIEF ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

(Whereupon the proceedings were concluded at 11:20 a.m.)

ERRATA SHEET

INSTRUCTIONS: After reading the transcript of this hearing, note any change or correction to and the reason therefor on this sheet. DO NOT make any marks or notations on the transcript volume itself. Sign and date this errata sheet (before a Notary Public, if required).

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I have read the foregoing transcript of the hearing, and except for any corrections or changes noted above, I hereby subscribe the transcript as an accurate record by me.

CERTIFICATE

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 10th day of March 2014.

Jill Kourafas
Certified Shorthand Reporter
License No. 14903
Notary Public
My Commission expires:
February 2, 2017

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