

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION POLICY 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: September 30, 2014

TIME: 6:04 p.m.

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P R O C E E D I N G S

September 30, 2014

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(Hearing is being audio and videotaped by
Xavier Dietrich.)

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EXECUTIVE DIRECTOR ELIZABETH LINT: If
anybody has a cell phone on, we would appreciate
it if you would turn it off.

CHAIR ANDREA JACKSON: Or on vibrate.

EXECUTIVE DIRECTOR ELIZABETH LINT: And
the rear door is to stay open at all times and no
one can block it. Thank you.

This is License Commission general
hearing Tuesday, September 30, 2014. It is 6:04.
We are in the Michael J. Lombardi Building 831
Mass Avenue Basement Conference Room.

Before you are the Commissioners Chair
Andrea Jackson, Police Commissioner Robert Haas

and Assistant Chief Gerard Mahoney.

If anyone is here for the matter of --
the disciplinary matter of Temple Bar that has
been continued to October 7.

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APPLICATION: FAMILY BUSINESS
ASSOCIATION, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Application: Family Business Association, Inc.,
at 101 Huntington Avenue, Suite 500, Boston,
Mass, 02199 has applied for a charity wine
license at 40 Edwin Land Blvd, Royal Sonesta
Hotel, for an event on October 23, 2014.

CHAIR ANDREA JACKSON: Good evening.

ALBERT DENAPOLI: My name is Albert
Denapoli, and I represent the Family Business
Association. This is, I believe, our sixth year
requesting a charity wine license for our annual
event that we hold at the Royal Sonesta.

ANTHONY CHESNAKAS: I can't hear anything back here. Can you speak up?

CHAIR ANDREA JACKSON: Sorry, just the acoustics are bad in the room. I'm sorry.

EXECUTIVE DIRECTOR ELIZABETH LINT: And the fan doesn't help.

ALBERT DENAPOLI: I represent the Family Business Association. This is our sixth year seeking a charity wine license for our annual event that we hold in October of every year down at the Royal Sonesta. We are holding it this year on October 23rd and Gordon's Wine and Liquors supplies a bottle of wine for the table and during the meal portion of the event, and we're seeking a charity wine license for that event.

CHAIR ANDREA JACKSON: Do they typically supply it every year?

ALBERT DENAPOLI: Yes. This is the sixth

year.

We have a cash bar during the pre-dinner period, but during the meal itself, we usually have about 400 to 420 people that attend.

Gordon's Liquors have served both red and a white wine at the tables.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: Can you just talk about the Family Business Association? What kind of charities are they involved in?

ALBERT DENAPOLI: Sure. We are a nonprofit organization. We have been in existence for eight years now and the mission of the Family Business Association is to educate and honor family businesses, and we hold basically educational seminars throughout the year and we have an award program every year and we have people that are nominated, certain family businesses. We've had over 600 nominations of

family business across Massachusetts this year and those nominated family business and can apply and then there's a panel of independent judges from various academic institutions that review the applications and then choose finalists for the award program.

When we have the award program. We have to choose five finalists in different categories. The categories are basically based on the size of the family business. Zero to 50, small, 50 to 150 employees, and then 50 and more of a large.

We videotape them. David Wade of Channel 4 is gonna be our master of ceremony for the sixth year in a row.

And we have a gala event and it is basically to give family businesses an opportunity to be honored among their peers, and through the year, be educated. We have a quarterly newsletter that's published and given

free of charge as the family business type of material that they may be interested in.

CHAIR ANDREA JACKSON: Any more questions?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Any questions?

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Nothing.

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

Seeing none, I make a motion that we approve the charity wine license for the Family Business Association.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: Aye.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Aye.

ALBERT DENAPOLI: You are all.

CHAIR ANDREA JACKSON: You are all set.

Have a great evening.

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APPLICATION: P.F. CHANG'S CHINA BISTRO,
INC. D/B/A P.F. CHANG'S

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: P.F. Chang's China Bistro, Inc.,
d/b/a, P.F. Chang's Isabel Maria Moya, manager,
holder of an all alcoholic beverages as a
restaurant license at 100 Cambridgeside Place has
applied for a change of manager to Danielle
Sainsbury.

CHAIR ANDREA JACKSON: Good evening.

ATTY ANDREW UPTON: Good evening,
Commissioners. Andrew Upton, U-P-T-O-N,

representing P.F. Chang's China Bistro, Inc.

And with me is the proposed new manager
Danielle Sainsbury, S-A-I-N-S-B-U-R-Y.

CHAIR ANDREA JACKSON: You are here
before us this evening for a change of manager.

ATTY ANDREW UPTON: We are.

Danielle is experienced in the industry.
She's experienced with P.F. Chang's, she is a
TIPS certified server, and TIPS certified trainer
of TIPS servers, as well as ServSafe training.

She's aware that she has to take the
Cambridge 21 Proof class as well and she's gonna
sign up for that. And she's looking forward to
taking over P.F. Chang's and she's here to answer
any questions you may have.

CHAIR ANDREA JACKSON: Tell us about your
background, please.

DANIELLE SAINSBURY: I've worked with
P.F. Chang's for five years. I started off as a

server, I became a bartender for two years.

Before becoming a manager, I was a supervisor. I was in charge of the bar manager for two years before I got promoted to operating partner, so it's now my restaurant and responsibility.

I'm going to be taking as well the ServSafe alcohol class by the end of October.

CHAIR ANDREA JACKSON: The ServSafe? Or the 21 Proof?

DANIELLE SAINSBURY: The Serve Safe and then I'm also gonna do the 21 Proof by the end of October as well, both of them.

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

DANIELLE SAINSBURY: No.

CHAIR ANDREA JACKSON: And have you been working at the Cambridge location?

DANIELLE SAINSBURY: Yes, for three years.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Any questions?

ASSISTANT FIRE CHIEF GERARD MAHONEY: No.

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

Seeing none --

EXECUTIVE DIRECTOR ELIZABETH LINT:

Background is fine.

CHAIR ANDREA JACKSON: Great.

-- I make a motion that we approve the change of manager to Danielle Sainsbury for P.F. Chang's.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Aye.

CHAIR ANDREA JACKSON: You are all set.

ATTY ANDREW UPTON: Thank you very much.

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APPLICATION: THE ELEPHANT WALK

RESTAURANT GROUP, D/B/A THE ELEPHANT WALK

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: The Elephant Walk Restaurant Group, Inc., d/b/a The Elephant Walk, Phillip Dixon, manager, holder of an alcoholic beverages restaurant license at 2067, Massachusetts Avenue has applied for a transfer of stock, change of office/director and change of manager to Gerard Lopez.

ATTY LESLEY HAWKINS: Good evening,

Commissioner and Members. Lesley, L-E-S-L-E-Y Hawkins, H-A-W-K-I-N-S, representing The Elephant Walk Restaurant Group and this is Mr. Gerard Lopez, the proposed manager of record.

CHAIR ANDREA JACKSON: If you can please tell us about the transfer of stock, change of officer/director.

ATTY LESLEY HAWKINS: Sure.

Transfer of stock and change of officer/director is strictly administrative, and it is to reflect a recent death in the family of the ownership.

There are no new officers being added. It is simply a reorganization of the existing members.

This administrative change is simply to bring the liquor license in line with the organizational documents and in no way organizationally effects the operation.

CHAIR ANDREA JACKSON: Have changes already been made with the Secretary of State's office in terms of who is listed at the Secretary of State for officers?

ATTY LESLEY HAWKINS: Yes. I can provide documents reflecting as much.

CHAIR ANDREA JACKSON: That would be great. Thank you.

I know I looked at the website the other day. It didn't match. Ms. Lint, was there a question as well, I know a few days ago, I don't know if it has been modified, as it related to the landlord?

EXECUTIVE DIRECTOR ELIZABETH LINT: I believe we have the updated paperwork.

Yes, we do.

CHAIR ANDREA JACKSON: May I see it, please?

There was just a question in regards to whether or not the landlord was listed as having an interest in the license.

Any questions?

POLICE COMMISSIONER ROBERT HAAS: Are we

just staying with the officers and directors at this point or change of manager?

CHAIR ANDREA JACKSON: And change of manager as well.

POLICE COMMISSIONER ROBERT HAAS: We haven't talked about that yet?

CHAIR ANDREA JACKSON: No. Do you want more info?

Mr. Lopez, can you tell us a little about your ground, please?

GERARD LOPEZ: My background is --

CHAIR ANDREA JACKSON: If you could speak up just a little bit.

GERARD LOPEZ: I'm one of the owners and I started the restaurant in October of 1998 and I have been there since then.

CHAIR ANDREA JACKSON: Who was listed for change of manager before?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Phillip Dixon was the manager.

CHAIR ANDREA JACKSON: You said you started the restaurant in 1998?

GERARD LOPEZ: Correct.

ATTY LESLEY HAWKINS: And Mr. Lopez has acted in an ownership and operational oversight capacity.

CHAIR ANDREA JACKSON: As you stated initially, this is more administrative in nature?

ATTY LESLEY HAWKINS: Yes. We don't expect any operational changes at the restaurant.

CHAIR ANDREA JACKSON: Any other questions?

POLICE COMMISSIONER ROBERT HAAS: No.

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

Seeing none, I make a motion that we approve the transfer of stock, change of

officer/director, and change of manager to Gerard Lopez for The Elephant Walk Restaurant Group, doing business as The Elephant Walk. Is there a second?

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Second.

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

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: You are all set.

ATTY LESLEY HAWKINS: And I'll provide you with those documents.

CHAIR ANDREA JACKSON: Great. Thank you.

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APPLICATION: IRISH CRIMSON, LLC, D/B/A
KENNEDY'S ON THE SQUARE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Irish Crimson, LLC, d/b/a
Kennedy's on The Square, Karen Murphy, manager,
holder of an all alcoholic beverages restaurant
license at 15 Dunster Street has applied for an
entertainment license to include live music,
trivia, and streaming radio.

FINBAR GRIFFIN: Good evening, my name is
Finbar Griffin.

CHAIR ANDREA JACKSON: If you can speak
up, please.

FINBAR GRIFFIN: My name is Finbar
Griffin. I'm representing Irish Crimson, LLC.
F-I-N-B-A-R, second name G-R-I-F-F-I-N.

CHAIR ANDREA JACKSON: Your relationship
with Irish Crimson? Your position?

FINBAR GRIFFIN: I'm the owner.

CHAIR ANDREA JACKSON: Just need to get
that on the record.

Is Karen Murphy still your manager?

FINBAR GRIFFIN: Yes, she is. She would be here tonight but she was at a doctor's appointment and she's off today.

CHAIR ANDREA JACKSON: And you are here this evening because you are looking to apply for an entertainment license to include live music, trivia and streaming radio?

FINBAR GRIFFIN: That's correct.

CHAIR ANDREA JACKSON: Can you tell us exactly what you have in mind?

FINBAR GRIFFIN: Its in our other locations, we just do open mic, a couple of trivia nights a week, and then we have background music on.

And any of the music really doesn't entail any more than two pieces and creating a band. The space doesn't sit well for anything bigger than that.

CHAIR ANDREA JACKSON: When are you

looking to start this?

FINBAR GRIFFIN: Probably start in a couple weeks or months.

CHAIR ANDREA JACKSON: Have you had live music prior to putting in the application?

FINBAR GRIFFIN: No.

CHAIR ANDREA JACKSON: Or since putting in the application?

FINBAR GRIFFIN: Not in Kennedy's Public house, no. Or not in the Kennedy's on the Square. Sorry.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: How many other establishments do you own? You mentioned this is one of others.

FINBAR GRIFFIN: Four.

POLICE COMMISSIONER ROBERT HAAS: Four altogether?

FINBAR GRIFFIN: Four altogether.

POLICE COMMISSIONER ROBERT HAAS: And where are they located?

FINBAR GRIFFIN: I have two -- there's a Tommy Doyle's, which has nothing to do with the places in Cambridge. I sold that other operation over eight years ago.

I have Tommy Doyle's in Watertown Street in Newton.

I have Mick Morgans on Needham Street in Newton.

I have Mick Morgans on Route 1, Sharon, Foxboro.

And I have Kennedy's Public House on Route 1 in Norwood in the Hampton Inn Hotel.

POLICE COMMISSIONER ROBERT HAAS: It's your fifth establishment?

FINBAR GRIFFIN: Correct.

CHAIR ANDREA JACKSON: When did you open?

FINBAR GRIFFIN: Friday.

CHAIR ANDREA JACKSON: Congratulations.

Any questions?

POLICE COMMISSIONER ROBERT HAAS: No
other questions.

CHAIR ANDREA JACKSON: Any questions?

ASSISTANT FIRE CHIEF GERARD MAHONEY: All
set.

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

Seeing none --

EXECUTIVE DIRECTOR ELIZABETH LINT: Nope.

CHAIR ANDREA JACKSON: I'm sorry. I
didn't see you.

ANTHONY CHESNAKAS: What street will this
be on?

CHAIR ANDREA JACKSON: Sir, if you could
please come forward. I need you to state your
name for the record.

ANTHONY CHESNAKAS: What street was this

on?

CHAIR ANDREA JACKSON: Dunster Street.

ANTHONY CHESNAKAS: I'm not here for
that.

CHAIR ANDREA JACKSON: Seeing none, no
one else here, I make a motion that we approve
the entertainment license for Irish Crimson, LLC,
doing business as Kennedy's on The Square for
entertainment to include live music, trivia and
streaming radio. Is there a second?

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Aye.

CHAIR ANDREA JACKSON: You are all set.

FINBAR GRIFFIN: Thank you very much.

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APPLICATION: HANK, INC. D/B/A BUKOWSKI
TAVERN

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application, Hank, Inc., d/b/a Bukowski Tavern,
Suzanne Samowski, manager, holder of an all
alcoholic beverages restaurant license at 1281
Cambridge Street has applied for a transfer of
stock, change of officer/director, and alteration
of premise to relocate the bar.

ATTY ANDREW MILLER: Good evening, Andrew
Miller, M-I-L-L-E-R, representing Hank, Inc.

CHAIR ANDREA JACKSON: With you?

ATTY ANDREW MILLER: With me is Suzanne
Samowski, who is the proposed recipient of a
change of stock and ownership, the proposed new
treasurer, and also the manager of record
regarding the premises that we propose to alter.

CHAIR ANDREA JACKSON: And if you could

spell her last name for the record, please.

SUZANNE SAMOWSKI: S-A-M-O-W-S-K-I.

Rhymes with Bukowski.

ATTY ANDREW MILLER: So which -- I'm sorry, if I'm getting ahead of myself but which matter would you care to hear about first? I would be happy to explain both or --

CHAIR ANDREA JACKSON: We can go in order as to what's on our agenda, first the transfer of stock and the change of officer/director and then alteration of premise.

ATTY ANDREW MILLER: Absolutely. As far as the change of stock and change of officers, nobody new is being added. Ms. Samowski already previously held ten percent of Hank, Inc.

What happened was, there was another individual, Craig, D-'-A-V-I-G-N-O-N, we're testing my high school French there, and he held 25 percent of Hank, Inc. previously. He passed

away. Upon his passing, Gordon Wilcox, W-I-L-C-O-X, who was the majority shareholder of Hank, Inc. had previously had been -- bought the 25 percent share from Mr. D'Avignon's estate, and then proceeded to sell 10 percent more to Ms. Samowski, so the position we're in now is Mr. Wilcox, what we're proposing is that Mr. Wilcox would have 80 percent of the ownership, Ms. Samowski would have 20 percent.

That is what we're proposing as far as the change of stock goes.

As far as the change of officers, Mr. D'Avignon had been the treasurer. Ms. Samowski had always been a director and I believe always been the secretary and what we're proposing now is just to add essentially to her list of titles the title of treasurer.

So if you would like to address questions about that first and then we can go onto the

premises or I can describe the alteration of the premises, whichever you prefer.

CHAIR ANDREA JACKSON: Just a few questions.

If you can just tell me your involvement Bukowski Tavern up until now, what roles have you actually played?

SUZANNE SAMOWSKI: I call myself the managing partner because I go there and work there quite often, and you know, do a lot of the bookkeeping, and if my general manager is out having a baby, I'll take over for her and things like that. I'm very involved.

CHAIR ANDREA JACKSON: How long have you been there?

SUZANNE SAMOWSKI: Since it opened in 2002.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
What is Mr. Wilcox's role in the establishment?

SUZANNE SAMOWSKI: He's the majority owner, president. But he makes the big decisions.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Any role in the operation, day-to-day operation of the establishment?

SUZANNE SAMOWSKI: You know, he helps me with a lot of problems. You know, he owns some other restaurants so he's busier than I am, but we talk daily.

CHAIR ANDREA JACKSON: So there are no other owners?

SUZANNE SAMOWSKI: Correct.

CHAIR ANDREA JACKSON: Or no other owners being considered. And I know you can't necessarily believe everything that you read but I know I did see an article that said Brian Poe was going to be part owner.

ATTY ANDREW MILLER: I can address that,

if I may.

CHAIR ANDREA JACKSON: Sure.

ATTY ANDREW MILLER: Mr. Poe is -- he has already been consulting with the restaurant about menus. I believe he's going to be in the very near future hired officially as the chef at Hank, Inc. There are two Bukowski locations, here in Cambridge and then the one in Boston as well.

He's not going to assume any ownership stake. Mr. Poe, frankly, he was speaking out of turn, I think, in an off-the-cuff moment discussing what he hoped and anticipated may be down the road might be the case, but there's certainly no imminent plan to transfer any ownership stake to Mr. Poe.

Whether or not that would happen years down the road or sometime down the road, I can't say. I don't want to come here and say that's not going to happen. It is certainly not

imminent and it certainly has not already happened.

CHAIR ANDREA JACKSON: Thank you.

Any other questions in regards to that thus far?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Any questions as to that thus far?

ASSISTANT FIRE CHIEF GERARD MAHONEY: Not as far as that.

CHAIR ANDREA JACKSON: Now, if you can talk about that relocation of the bar and the work being done.

ATTY ANDREW MILLER: Sure. So it is basically a facelift being done to the interior. The exits are staying the same. The entrances are staying the same. The capacity's staying the same.

The only structural changes whatsoever is

that currently when you walk into the premise, there's a wall bar on the right side of the restaurant as you walk in facing it. Mr. Wilcox -- well, the group would like to move the bar to the left side of the room to essentially just improve the flow into the room. They want to put a hostess stand there, I think, to give it more of a restaurant feel with a bar, as opposed to a bar with a restaurant is sort of the idea behind it.

There's going to be an upgrade to some of the kitchen equipment, but that's nothing structural in nature. And then sort've furniture upgrades and that kind of thing in the interior. It's really just a situation where it has been open now for several years and I think that they want to spruce it up a little bit is really what's going on.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

What is the status of that work? Is it planning stages, determined stages?

SUZANNE SAMOWSKI: Six weeks. We have permits. I think electrical got passed and plumbing got passed and all that. We are supposedly six week out.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Of starting or completion?

SUZANNE SAMOWSKI: To completion, not starting.

ASSISTANT FIRE CHIEF GERARD MAHONEY: So is the restaurant currently closed?

ATTY ANDREW MILLER: It is closed right now. It has been closed for two months, is that right?

SUZANNE SAMOWSKI: Since July 14.

CHAIR ANDREA JACKSON: And they have been before us to have it closed. So six weeks to completion kind of, sort of, maybe?

SUZANNE SAMOWSKI: Absolutely.

ATTY ANDREW MILLER: And as far as the notice to abutters goes, I have, forgive me, please, but I have my affidavit here with the --

EXECUTIVE DIRECTOR ELIZABETH LINT: I'll take those.

ATTY ANDREW MILLER: I'll give you those. They were nicely organized. Our firm name just changed from Byrne & Drechsler to Byrne & Anderson.

EXECUTIVE DIRECTOR ELIZABETH LINT: Because somebody became a judge.

ATTY ANDREW MILLER: Who will remain nameless.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Any questions?

ASSISTANT FIRE CHIEF GERARD MAHONEY: All

set.

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

Seeing none, I make a motion that we approve the transfer of stock, change of officer/director, alteration of premise to relocate the bar for Hank, Inc., doing business as Bukowski Tavern.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Aye.

CHAIR ANDREA JACKSON: You are all set.

ATTY ANDREW MILLER: Thank you so much.

Have a good night.

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APPLICATION: LOYAL NINE, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Loyal Nine, LLC, Daniel Myers, manager, has applied for a new all alcoholic beverages restaurant license at 660-674 Cambridge Street for 160 seats inside, 32 seasonal patio seats and operating hours of 8 a.m. to 1 a.m. seven days per week.

Applicant is also applying for an entertainment license to include music playing below conversation level.

CHAIR ANDREA JACKSON: Good evening.

ATTY KEVIN CRANE: Good evening, Madam Chair and Members of the Commission. My name is Kevin Crane, K-E-V-I-N C-R-A-N-E. I'm an attorney and I represent the petitioner in this particular matter, and I also have -- my office is located at 104 Mount Auburn Street in

Cambridge.

I have a number of affidavit matters as well. We actually have two separate affidavits. I did some and my client did some others.

CHAIR ANDREA JACKSON: Counsel, if you can tell me who you have with you.

KEVIN CRANE: At this time I would like my clients, they can introduce themselves to you.

CHAIR ANDREA JACKSON: Thank you.

DANIEL MYERS: Daniel Myers, M-Y-E-R-S, and I live at 175 Tremont Street in Somerville.

REBECCA THERIS: Rebecca Theris,
R-E-B-E-C-C-A T-H-E-R-I-S. Same address.

ATTY KEVIN CRANE: We also have in attendance the other two owners, David Beller and Mark Sheehan. There are four total owners of the LLC.

For starters, Dan, why don't you describe your experience in the restaurant business to the

board?

DANIEL MYERS: Although I have not officially been listed on the license as a manager, I have managed several restaurants throughout my restaurant-industry career.

Most prominently I've spent several years as the general manager and beverage director of Sorriso and Les Zygomates in Boston downtown.

After that time, my wife and I, we wanted to travel a bit and learn more about the restaurant industry, gain more experience in different cities.

I spent time as a manager of a Michelin-starred restaurant in Chicago as well as at State Bird Provisions in San Francisco, and then when returning to the city, I helped open Spoke Wine Bar in Somerville. Afterwards, joining Puritan & Company, where I currently work as a part of their team there.

CHAIR ANDREA JACKSON: How long you been at Puritan?

DANIEL MYERS: Since opening day. So just coming up on two years now.

Throughout that period I did a lot of training specifically towards beverages, through the Cicerone program, a beer certification program, as well as several wine training programs. I'm ServSafe, 21 Proof, ChokeSafe, and Crowd Control certified as well or Crowd Control Manager.

ATTY KEVIN CRANE: Rebecca, why don't you give your experience well.

REBECCA THERIS: Well, I grew up in France and have been working in restaurants for 15 years as well.

We worked together in several restaurants in Boston including Les Zygomates, and then most recently I worked at Hungry Mother and I'm still

at Hungry Mother right now. And I've always worked at front of house, server or bartender. You need a lot of real ability to study and do other projects. Most recently I have been studying ceramics and making all the plateware for the restaurant.

KEVIN CRANE: Madam Chair, the other two owners, I won't have them gave their details, but they did submit significant resumes as far as their backgrounds are concerned.

As far as this particular location is concerned, it's 660 Cambridge Street, which is abutting the railroads.

In approximately 1990, there was a fire in the structure that was there at the time. The owners rebuilt four-story building including retail on the first floor.

The first floor has been a package store for as long as I can remember. It's closed. It

was closed, I believe, in the winter of 2012/2013. But our proposal is to replace the space where the package store previously existed.

The building was sold a couple years ago, the Mount Vernon Company purchased it, they renovated the building, there are 12 residential units upstairs, which were significantly renovated.

Our proposal would include construction build-out of approximately \$330,000.

We did appear in front of the Board of Zoning Appeals in July requesting relief from the zoning ordinance as far as the number of parking space requirements.

The Board of Zoning Appeal unanimously approved that and the date for the ZBA decision/appeal period runs out this Thursday.

In conjunction with that process, I will note to you that my clients touched all the bases

as far as the neighborhood was concerned: East Cambridge Planning Team, Redevelopment Authority, and East Cambridge Business Association. And they had overwhelming support at the BZA.

As far as the operation is concerned, this will be a full-service restaurant. It will be 160 seats. I want to clarify, just a bit, it's -- that includes the 32 seats on the outside patio.

CHAIR ANDREA JACKSON: The 160 does include the 32 seats on the patio?

ATTY KEVIN CRANE: Yes, it does. That would leave 128 inside and 25 of that would be located in the so-called cafe area, which, I believe, previously was used as storage. It is on the side of the building towards the railroad tracks. And then there would be 103 seats, as per the plan we submitted, inside.

There's a small bar inside. Only seven

seats at the bar, so we are not oriented towards liquor dispensation.

There are no TVs sets that we are requesting, again, which would indicate we are oriented towards a restaurant rather than a drinking establishment. The only entertainment that we seeking --

ANTHONY CHESNAKAS: I'm sorry, can you have him speak up a little? I can't hear. It's hard to hear.

ATTY KEVIN CRANE: The only entertainment aspect that we're seeking is background music below conversational level.

And the restaurant will be oriented toward the neighborhood. Hopefully there will be people walking, biking, taking the T, and it will be a real neighborhood destination rather than having people coming in from the outside.

This was part of the issue in front of

the Board of Zoning Appeals as far as our orientation toward having really a neighborhood spot, and at this time, I would like to have Dan Myers maybe expound a little bit on the type of menu they will be providing.

DANIEL MYERS: Our name Loyal Nine is from the group that were predecessors to the Sons of Liberty and a lot of our food and our menu is inspired by that era of Old Colonial Boston.

Our menu will be shared dishes featuring a lot of the shellfish, a lot of local vegetables.

Our chef Mark works very closely with a lot of the farms in the area and has since he was a kid in this area.

Our focus is really to go food first across the board. The daytime operations will be cafe, as Kevin alluded to, in kinda the side space doing specialty coffee and serving

sandwiches and lighter lunch fare in that area, counter-service style for the most part.

When the cafe is operating during the daytime, the restaurant itself and that operation will be closed but the lights will be on and the room will be open and clean and we are trying to create an open meeting space for those in the neighborhood.

We live just a few blocks from this site, and as we go through this process, we are consistently looking for areas where we can go to meet where there's a cafe with more than ten or 15 seats and we are looking to provide that in the East Cambridge area.

ATTY KEVIN CRANE: Madam Chair, as far as the criteria that we have to meet on the granting of a new license, the first criteria is that we have exhausted any existing licenses that might be inactive. I, in conjunction with the License

Commission staff, have inquired as to all the inactive licenses. And the ManRay license, I understand, is under agreement.

The Western Front license, when I spoke with the attorney that represents the owner, quoted me a price that was in excess of what my clients could certainly afford.

The HiFi license I understand was also for sale, it is inactive, and I did speak with Frank Holland at one point a couple months ago and he placed it with a broker, and again, the price was well in excess of what my clients can afford. Also, that is only a beer and wine license.

The other inactive license that I understand with that status is Tommy Doyle's in Harvard Square, which I understand the landlord does not want -- who has some control over the license, does not want to transfer the license.

Madam Chair and Members of the Board, I'm not going to sit here and just say that every existing license costs too much and we just can't afford it. Sure, there could be, if you beg, borrowed and stole, maybe you could have the money to buy a license, but we're not American Joe's Grill or Bertucci's or Applebee's that has access to capital resources that could be used to purchase an existing license.

For my clients to have to purchase an existing license, their whole business model would be blown up.

They would have to get away from the neighborhood orientation. Prices would have to be increased and the whole business model would go down the drain.

It's not that the liquor license, I'm not going to say they are just expensive, but they are cost prohibitive as far as how they relate to

a client such as myself -- such as mine.

The second criteria is whether there's a need in the area. And this section of Cambridge Street, I would say is a bit on the tired side.

There are a number of vacancies along Cambridge Street. There seems to be a lot of turnover on the store fronts, and not the stability you would like to have.

My clients signed a ten-year lease for this property with two five-year options thereafter, which would indicate that they have made a commitment to this particular spot in this particular neighborhood and that they would provide commercial use balancing the bordering residential use.

The third criteria issue that there be no harm. My client's operation will liven up the area, it will make it safer with people who will not be bar-oriented. The emphasis is on food.

Again, we are replacing a former package store, which would generate much more traffic than my client's operations with people coming and going in and out quickly, whereas in this restaurant operation people will be coming and staying for an hour or two.

As far as the fourth particular criteria, and that is, extraordinary support, I think the file has within it a number of support letters from East Cambridge Planning Team, the East Cambridge Business Association, the East Cambridge Planning Team my clients attended a number of their meetings and they have on their petitions, which are a couple hundred signatures, they have a number of people from the East Cambridge Planning Team that signed, which would indicate quality signatures in my mind.

I think there are a number of public officials that have also written in expressing

their support for this particular proposal.

The only indication that I have had or heard of opposition or questioning about the proposal is that there was one neighbor that was concerned about the patio area being open later at night and also that there would be music out there.

My client is willing, and would propose, the patio area be closed at 11 p.m. There will be no speakers out there, and hopefully that would allay some of the concerns of the neighbor.

In conclusion, I would like to actually refer to one of the regulations of the Cambridge License Commission. Every once in awhile I do peruse the regulations to make sure I haven't missed anything.

But in conjunction with the policy of granting new licenses, no value/no transfer in capped areas, the so-called Addendum D was

adopted, and that recites the criteria which I recited here this evening, but the Commission regulations goes on further, and it says that "The rationale for such policy is to allow issuance under the cap policy where all steps to override the cap are met under Addendum D and to allow so-called mom-and-pop operations or those catering to food-oriented, nonbar and nonentertainment operations to afford such license."

I would submit to you, Madam Chair, and Members of the Commission that this particular petition touches all four corners of that policy.

And if you have any questions, we'll be glad to try and answer them.

CHAIR ANDREA JACKSON: You answered one of them as it related in terms of the patio and the concern of neighbors and whether or not you would be willing to work with them, so what you

are proposing is to close the patio at 11 p.m.?

KEVIN CRANE: Yes.

CHAIR ANDREA JACKSON: Is that seven nights a week, the patio?

KEVIN CRANE: 11?

CHAIR ANDREA JACKSON: Yes.

ATTY KEVIN CRANE: Yes.

POLICE COMMISSIONER ROBERT HAAS: Is the patio on public space or private space?

ATTY KEVIN CRANE: Private space.

ASSISTANT FIRE CHIEF GERARD MAHONEY: So the application says 8 p.m. to 1 a.m., so you actually will be serving coffee and breakfast type, that would be more like counter service or --

DANIEL MYERS: Yeah, we'll have counter service with seat for about 25 in the cafe, and we are hoping for the cafe to operate from 8 a.m. until 4 p.m. and then have the restaurant --

basically close the operation for one hour while we transfer to the dinner service and have dinner from 5 p.m. or 10 p.m. or 11, depending on the day of the week. Thursday, Friday and Saturday, likely until 11 p.m.

We are looking to offer brunch on Sundays, and that would begin at 10 a.m. and close around 4 p.m. Likely at first in operations we would not open the restaurant on Sunday evenings but perhaps over time.

ASSISTANT FIRE CHIEF GERARD MAHONEY: So you know the license has to -- the hours on the license have to reflect the actual hours of business, you know that?

DANIEL MYERS: Correct.

CHAIR ANDREA JACKSON: Can you talk a little -- you said that there were residences above where the proposed restaurants will be?

DANIEL MYERS: Correct.

CHAIR ANDREA JACKSON: Have you had any -- are there residents up there now?

DANIEL MYERS: Yes.

CHAIR ANDREA JACKSON: Have you done any type of outreach with them and any type of concern they may have in terms of having a restaurant located on the bottom?

DANIEL MYERS: Yes, I personally have been on site in the space and I met and talked with a few of them over time.

We held a neighborhood gathering or get-together as a very, very informal gathering where we invited all the tenants and residents of the building as well as some of the surrounding residents to ask any questions about our concept, or anything along those lines, brought some renderings and such that was perhaps two or three months ago at this point. We served food there as well.

We held it at the Filarmonica Santo Antonio Center, so that no one had to leave the neighborhood.

We also emailed every resident of the building and the tenants just to inform them about what we are doing and give them our information, ask any questions, and invite them to the ribfest that we are partaking in this weekend that we're partnering with BCA on.

CHAIR ANDREA JACKSON: Can you explain for me, please, why go for an all alcohol versus a wine and beer?

DANIEL MYERS: For us we believe that the all alcohol license is a true advancement for our concept. Conceptually for that time and that era, which is really important for us to have a full concept, they were focused on punch, and historically rum has a very rich history in this area, so we're looking to be able to complement

our meals with it.

We're aiming and our projections are in the kind of 75/25 area of ratio food-to-beverage sales altogether, and we're really expecting full liquor sales to be somewhere in that 8 percent range, give or take. Looking for it as a supplement, a complement to your meal, if you will.

CHAIR ANDREA JACKSON: Have either of you held an all alcohol license in your name before?

DANIEL MYERS: No.

CHAIR ANDREA JACKSON: Counsel, if you can explain the seating to me one more time please.

ATTY KEVIN CRANE: Seating would consist of 103 seats inside the structure.

25 seats in the so-called cafe area, which is actually also within the structure, and that is over on the right-hand side toward the

railroad tracks away from Cambridge Street.

And then the 32 outside patio seats adjoin that 25 seat cafe area, and they are outside on the lot.

POLICE COMMISSIONER ROBERT HAAS: So the cafe seats wouldn't be used during the dinner hour, so it would only be 103 seats and the outside patio?

DANIEL MYERS: We would like to be able to use those seats for any private dining.

One of the big needs in Cambridge, you know, as evidenced by the East Cambridge Intercept Survey that was done earlier this year, was for private dining space and meeting spaces for public groups so that we can offer a private dining room effectively for about 20, 25 folks if they wanted to have something a little bit more intimate, or romantic, really just intimate setting.

POLICE COMMISSIONER ROBERT HAAS: In essence all 160 seats would come into play?

DANIEL MYERS: In the busiest of times, so during the summer months, yes.

CHAIR ANDREA JACKSON: Has construction already started on the space?

DANIEL MYERS: It has not. We hope to apply or submit our application for a building permit within a couple weeks, two or three weeks. From there, it would be a 14-week construction process, including the landlord's work as well as work. It'll likely be that long until opening depending on everything else and all the variables that winter has in store.

POLICE COMMISSIONER ROBERT HAAS: Attorney Crane, you mentioned that you made application for exemption for the required parking?

KEVIN CRANE: Yes.

POLICE COMMISSIONER ROBERT HAAS: So what parking is available in that area?

ATTY KEVIN CRANE: Well, most significantly, Commissioner, there's a public lot on Warren Street of 30 cars. It goes off at -- there are meters there. It goes off at 6:00 at night. And it is extremely underused, utilized.

We had pictures taken during the night of that lot and if there's 30 spaces at most, there were probably 10 spaces that were occupied. So there's plenty of parking on that particular site.

And that really is the parking if someone's coming away. Also, if I might add, there's a T stop right in front of the building.

POLICE COMMISSIONER ROBERT HAAS: What is the requirement for a seating capacity of this size, what would be the parking requirement?

ATTY KEVIN CRANE: Parking requirement is one space per five seats, so it would've been 32 seats with the first four exempt, so 28 spaces.

POLICE COMMISSIONER ROBERT HAAS: And the reason for the exemption is because you can't count on all those parking spaces being available for the exclusive use of the restaurant on Warren Street?

ATTY KEVIN CRANE: Well, it is a public space, so we couldn't say that they are ours. But within the special permit process, the BZA considers that in their decision.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Where are you at with respect to design phase for the renovations?

DANIEL MYERS: We just had a meeting right before this today where we're making some quite significant adjustments to our floor plan, and as I said, we're probably two weeks out from

having a submitable permit set.

I have taken those initial plans, which the floor plan itself, the layout that you have, the footprint is identical. We are just changing some seats and basically how you sit down.

We have taken those floor plans and had them reviewed by Larry with ADA, walked through them with Ranjit, myself personally, and I was just in touch with Officer Cahill.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Captain Cahill.

DANIEL MYERS: Captain Cahill about Fire Prevention and setting up a meeting with the Fire Department about exactly just making sure we are dotting our i's and crossing our t's as we go through this process.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Because one of my concerns being in the fire business is that the liquor store obviously

doesn't have a commercial cooking and ventilation system.

Where are they proposing for the ventilation system?

Is it the rear wall? Side wall? Where is it?

DANIEL MYERS: At this point I believe there's a floor plan in the file at least that shows the kitchen in the center towards the rear of the building on the south side, that hood ventilation system will penetrate the back wall, go up the exterior of the building, and the ventilation equipment, the mechanicals of that, will be mounted on the rooftop.

We'll for certain be putting in the required fire-rated ceiling and separation. We'll also be putting in a rather costly acoustic separation for the tenants above, fire wrapping a few poles there as well.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Thank you.

CHAIR ANDREA JACKSON: You are putting in a full kitchen?

DANIEL MYERS: Yeah, there will be a full open kitchen in the main dining room itself.

And there will be some prep space downstairs that will be noncooking whatsoever. No heat application in any way. Just basically somewhere for us to wash some vegetables and receive orders and such.

We went through these plans as well with Buddy Packer, P-A-C-K-E-R, who will be the health inspector for that district or is the health inspector for that area.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

This is the kitchen area right here?

DANIEL MYERS: Exactly.

ASSISTANT FIRE CHIEF GERARD MAHONEY: All

right.

DANIEL MYERS: Some of the equipment will be mounted above the restrooms just in the rear and the duct work will go above those restrooms and out that back wall. Almost directly separate.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Thank you.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Any questions?

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Answered everything I had.

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

Sir, if you can please come forward.

ANTHONY CHESNAKAS: Hi.

CHAIR ANDREA JACKSON: Good evening.

ANTHONY CHESNAKAS: Good evening.

CHAIR ANDREA JACKSON: If you can please state your name for the record spelling your first name and last name.

ANTHONY CHESNAKAS: Sure. My name is Anthony, A-N-T-H-O-N-Y, Chesnakas, C-H-E-S-N-A-K-A-S.

CHAIR ANDREA JACKSON: Go right ahead.

ANTHONY CHESNAKAS: First of all, before I start, I want to say I don't (sic) believe that these people are trying to do this in a heavily residential area. I have lived there 25 years, I live right in back on corner of Fulkerson and Thorndike Street. It is a condo or residence which is right in back of where a liquor store used to be. Very quite.

And that liquor was there 20 years closing at 11:00 at night. Now, it is a heavy

residential area. Unlike the S&S Restaurant, which is in Inman Square about five blocks down, not residential at all, there's a bank in front of it, a bank in back of it and a toy store, hardware store across the street. Perfect spot for a large restaurant. And to try to shoehorn in a large restaurant that's going to make quite a bit of noise in a residential area will just be beyond belief.

Right on Max Ave next to this restaurant is a row of townhouses, and just above that, they put in a low-income complex there, either HUD or Just-A-Start, you know, mixed income people. It's wonderful.

But what I'm getting at is there are at least six children that live in there, school-age from 6, 7 to 12 years old, and of course they have to get the school bus and the like. Now, these children get up around 5:30 or so.

Forget about parking on Warren Street. I know when I dine out, if it's raining, or in winter, you want a closer spot. Now, Max Ave is small. The officer knows about Max Ave. You know that they are going to try to park on Max Ave. That's No. 1.

Going further down the end of Max Ave there's a street that crosses it, and there's a little parking there, there's a low-income housing complex, but children play there in the summer.

Now, I want to make my statement on this. Although another tasteful restaurant in our neighborhood would be welcome, the proposed license will allow for an outdoor patio, I think he said 32 seats, with hard alcohol, to 1:00 in the morning, and of course, music, would severely impact the peace and quiet of our residential area. Largely residential.

I know at least five or six -- probably 500 people live in the area. I've lived there for 25 years. Nothing in the area is open now until 1:00 in the morning.

Nobody, you know, even at conversation level -- forget about conversation level. I'll get into that in a minute. Even at conversation level, such music and conversation would be disturbing and would interfere with my sleep and the sleep of my neighbors.

CHAIR ANDREA JACKSON: And are you referring specifically to the patio area?

ANTHONY CHESNAKAS: Yes. That's -- thank God you watered it down to 11:00. I would like to not see it there at all -- at least until 10.

When I go out to eat, I go 7, 8:00 at night, maybe 6, and get a nice glass of wine. But again, serving hard liquor until 11:00. Now, if someone goes out at 10:00 at night, they are

not there for dinner. You know, the younger crowd probably wants a margarita or whatever. Forget about 11:00. Let's say they'll close at 11:00, of course they'll leave but they'll be stumbling to their cars at 11. And, you know, a lot of young people carry nips with them. So it will be a disaster for the area. Who goes out at 10:00 at night is people that like hard liquor.

I would love just a beer and wine license. I don't know if I'm gonna get that. But hard liquor is definitely a problem. And then, of course, the restaurant will allowed to stay open until 1:00 at night. Are you kidding me? Serving hard liquor. If somebody shows up at midnight, what do you think they're there for? To drink.

Now, in the winter, they will stumble out of the restaurant and of course they'll be revving their engines to warm up their car.

My neighbors, I've talked to at least a dozen of them, all do not want this. On Thorndike Street, and of course the surrounding area, urge you to deny this petition or at least to restrict it to the proposed interior portion.

But again, I can't say this enough, their wanting to serve hard liquor seven days a week until 1:00 in the morning, I think the -- a young lady that she's from Boston, or works in Boston, now a lot of restaurants in Boston are fine, there's many, many, many of them. That's, I guess, where they belong. But we never had this in our area at all.

There was a liquor store there. I can think at least a dozen other businesses that could go in there and benefit the residents of the area.

Like sometimes I use, my washing machine

broke down, the laundromat down the street. On weekends I have to wait for a machine and they only have like seven or eight. So a laundromat or something. I can name a dozen others. But again, it is heavy residential, unlike the S&S, you know, five six blocks, in Inman Square, there's a bank on the corner, a bank on the back of it and a toy store in the middle. No one, hardly anyone lives around there. Of course there's a fire station there too.

But again, to try to shoehorn in a large restaurant that's going to make quite a bit of noise and then requesting it until 1:00 in the morning.

CHAIR ANDREA JACKSON: So is your concern about the inside until 1:00 in the morning or the outside as well?

ANTHONY CHESNAKAS: Actually, both because people showing up at midnight, they are

not there to eat. They are there to drink.

Let's face it. I never go out at midnight even when I was young. They're there to drink hard liquor.

And you know -- and I don't know if they are going to be restricted to two drinks. You know how many times it has been in the news some guy had four or five margaritas and leaving a restaurant and getting into an accident later on.

So come on, if you show up at midnight, you know what they're there for. Especially the younger crowds.

CHAIR ANDREA JACKSON: Are there any other establishments close by in the area that I believe serve alcohol, proposed establishments?

ANTHONY CHESNAKAS: There is one, a private Portuguese club that he mentioned on Warren Street, I think, where they filmed that movie in there. I forget. There's a club but

that's private. Almost no noise at all. You have to be a member to go in.

About three blocks down where that laundromat is across the street there's a smaller restaurant. There's no parking. They have no parking. About 70 seats inside. I don't know what time they close. But there's never been a problem there. Mostly an older crowd that goes there. Again, they don't have any parking lot or parking, so it's just the locals that go there.

CHAIR ANDREA JACKSON: Now, you know there's not going to be any music outside, if I heard counsel correctly?

ATTY KEVIN CRANE: That's correct.

CHAIR ANDREA JACKSON: So there won't be any music outside.

ANTHONY CHESNAKAS: Again, I think -- they want it until 11:00 at night, and that's the main thing, serving hard alcohol until 11:00.

They're saying something about conversation level, conversation level. You can forget about that. When men drink, they usually go two ways, very happy or very mad. When you are happy, what I'm guessing at, you laugh, laughter, or Hey, Joe, how are you doing? They're right on Cambridge Street. It is going to be way above conversation level if this patio is allowed.

So forget about conversation level with the patio. That's out.

CHAIR ANDREA JACKSON: So I know that you mentioned you -- your neighbors that you've talked to are opposed to this. Do you have anything in writing from them? Because I believe, Ms. Lint, if I'm correct when I looked through the file I only saw one letter in opposition.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Correct.

ANTHONY CHESNAKAS: Yes, I do. We drafted this letter together. This is Larry Young. He's an MIT professor. Professor of science and technology and --

CHAIR ANDREA JACKSON: I think that's the only letter.

ANTHONY CHESNAKAS: I'm sorry?

CHAIR ANDREA JACKSON: That's the only letter that we received.

ANTHONY CHESNAKAS: Oh, you have that on file? Okay, all right.

CHAIR ANDREA JACKSON: Yes.

ANTHONY CHESNAKAS: Well, the others I guess are just lazy or didn't hear about this, but now you have two, okay.

If you want, I don't know how the board works, canvass the area or send out a flyer, but I have talked to at least seven other neighbors,

not just in my building, across the street, three or four didn't even know this was going on.

So again, another thing is the children in the area, right in back of the restaurant is a low-income two-story housing project either put up by HUD or Just-A-Start.

Now, you know, this noise going on until 1:00 in the morning, I mean these people have to get up for school.

CHAIR ANDREA JACKSON: Thank you very much.

ANTHONY CHESNAKAS: Thank you, ma'am.

CHAIR ANDREA JACKSON: Counsel, I'll give you the opportunity to respond to that.

So what do you say in terms of the canvassing of the neighbors, making sure the people behind them have been adequately notified and had the opportunity to respond to your application.

ATTY KEVIN CRANE: We have notified everyone that we had to legally plus neighborhood meetings that my client has gone through, not just -- not just with this particular process but also in conjunction with the zoning process.

We had like 300, you saw them, the affidavits, you know, the certified mailings that had to be made, and I received a number of phone calls as a result of those mailings.

Every one of those was positive. People were a little confused as to why I was sending them a notice.

Some of them, quite frankly, Madam Chair, weren't picked up, for whatever reason. My client and I can't go down and sign for them at the post office.

So as far as receiving notice, they were sent the notice, but as I say, a number of them came back because people don't pick up their

certified mail for whatever reason.

As far as the outside patio is concerned, to say 11:00 would be the time, and there would be no music out there. As far as establishments in the neighborhood, I believe Puglieses has a license. Is it Lizzy's?

DANIEL MYERS: Lizzy's soon-to-be Lonestar.

ANTHONY CHESNAKAS: I'm sorry? What?

ATTY KEVIN CRANE: Lizzy's. Lizzy's.

ANTHONY CHESNAKAS: Yeah, that's been closed, sir, now for a few months. That's closed.

CHAIR ANDREA JACKSON: Please, sir. It is his opportunity to speak.

ANTHONY CHESNAKAS: I'm sorry.

CHAIR ANDREA JACKSON: That's okay.

ATTY KEVIN CRANE: I believe it is in the process of reopening under a new management or

new ownership.

Atwood Tavern is not that far away.

Outdoor patio.

As far as comparison to Inman Square, you know, this -- Cambridge Street is a business district. It is zoned for business. Sure, there are residential uses on the street, okay? Just like in Inman Square, there are residential uses above many of the buildings around Inman Square and there are residential uses that abut Springfield Street, Tremont Street. They're right across the street. It is a very similar situation. I don't think you can draw a distinction between this location in Cambridge Street and the S&S location in Inman Square.

And finally, as far as the concern about someone showing up at midnight for a drink, this is not the orientation of this particular establishment.

You know, it is not like Joey Mac's, which used to be over at Warren Street. Yes, I would be concerned if that was the case.

That's not the case at all here.

You heard my client say as far as hard liquor is concerned, the projection is 8 percent of their sales.

DANIEL MYERS: If I may touch on that as well, our seating in the restaurant is set up, you know, this is a full build-out. We are not taking over a space that has a bar and we're just working with that.

We've designed this space from scratch where less than four percent of the seating is dedicated to bar patrons. There's no standing room. It is made so that there's seats for all of our guests.

One of the things we realized in traveling and training for this project, is that

when guests -- when folks in the world that do what we do, which is work in restaurants, and they get out of their shift at 11 p.m., at midnight, in Cambridge, which has seen an inundation, a large growth in the number of restaurants over the last ten years, there's nowhere to go get a decent bite of food after 10 p.m., and the reason that we're doing that is we're staying open for folks like us because we live in this neighborhood and if we get out even at 10:30, let alone midnight, there's simply nowhere for us to dine. There's nowhere to even have a cheeseburger unless you want go into Harvard Square.

So we are looking to build that and make it a place where folks can responsibly handle alcohol and also get a bite of food later in the evening.

CHAIR ANDREA JACKSON: How many seats did

you say would be at the bar? I know you said 103 seats inside. How many at the bar?

ATTY KEVIN CRANE: There's seven at the bar. And also with the no TV sets, now that indicates also you're not gonna have a crowd going in there just drinking watching the ball game.

CHAIR ANDREA JACKSON: Let me ask one final question, and you can say "no" and that's fine, but I thought I would at least throw it out there: Would you consider, in terms of the patio use, perhaps doing a 10:00 p.m. on week nights? So saying Thursday, Friday, Saturday keeping the patio until 11:00 and on the other nights 10:00 as a compromise? Just throwing it out there.

REBECCA THERIS: That's fine.

DANIEL MYERS: That's agreeable.

CHAIR ANDREA JACKSON: So using the patio Sunday night through Wednesday night until 10:00;

Thursday, Friday, and Saturday night until 11:00?

DANIEL MYERS: The patio placement is also designed such that it is in the best-suited location of a 200-foot driveway to make it such that we're not impacting too much of our neighbors with noise.

Behind this building is a very large open parking lot dedicated to the NSTAR that also owns some type of power structure behind that. It is a very open valley. And we situated the patio on the opposite side of the residences on Max Ave and did a setback of 25, 30 feet from Cambridge Street, so it's in a quieter area so that the noise is secluded into that area, so that anything would travel kind've basically out towards what is the back side of St. Anthony's Parish.

There's a four-story brick building between our patio and residences on Max Ave of

whom we have spoken to all of them and not had the concerns that were brought up this evening.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Any questions?

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Everything's been answered.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Background check?

CHAIR ANDREA JACKSON: Are they in order?

EXECUTIVE DIRECTOR ELIZABETH LINT: All the background checks are in order.

CHAIR ANDREA JACKSON: Thank you.

EXECUTIVE DIRECTOR ELIZABETH LINT: We have some letters in support.

I'll just summarize. From Vice Mayor Benzan wrote to express his support for Marc Sheehan in his request for a new liquor license

at the Loyal Nine located at 660 Cambridge Street. Marc and his business partners, Daniel Myers, Rebecca Theris, and David Beller have taken on the admirable endeavor of revitalizing a previously vacant store. He goes on to say that aside from the aesthetic and cultural aspects of the restaurant, this is a group that is also concerned about our environment. As part of their eco-friendly consciousness, they will be installing bike racks on both sides of the building and actively encouraging guests to use public transportation.

The City of Cambridge is proud to have residents who seek to reinvigorate our neighborhoods and city squares. Community spaces such as these help contribute to the social, economic, cultural and environmental fabric of our neighborhood. He sees it as a huge addition to the social life of East Cambridge and urges

you to support this.

I also have a letter from Councillor Toomey writing in support of the application.

The operators have been meeting with neighborhood groups and abutters for the past several weeks to inform them about their new endeavor at the location. It is my understanding that they have received a lot of positive feedback by residents interested in seeing this space become an active use once again.

This retail location has been vacant for a number of months and the vacancy has a negative impact on this area.

He hopes you find favor with the application.

And also I have a letter from the East Cambridge Business Association in support of the application.

They have reached out to East Cambridge

Business Association, discussed their concept at a recent meeting. Since then they have reached out to abutters and others in the community and received positive support.

They believe it will improve the atmosphere in the area and again they hope you will find favorably with it.

We have a letter from Chris Yorty of Puritan who expresses his overwhelming support for the Dan Myers and the group behind Loyal Nine.

Multiple members of this team have been employees of Puritan & Company since we opened our doors almost two years ago and I firmly believe they will continue to provide the neighborly hospitality that many of the businesses give to our customers in Inman Square. And again, urges you to find favorably with them.

A resident of Jefferson Street, Amanda

Pillsbury, writes, as a homeowner and resident in support of the opening of Loyal Nine. She's excited about the reopening of 660 Cambridge Street as well as the continued revitalization of the neighborhood.

The location she believes will attract customers from the already vibrant Inman and Kendall Square area and bring more economic activity to the Wellington-Harrington and East Cambridge neighborhood.

Another resident, Josh Velazquez, believes the operation in area will create multiple advantages and opportunities for the community of East Cambridge that are very much needed.

After reviewing a proposed menu and being familiar with the operators of the establishment, I feel fully confident in the quality that the restaurant will provide patrons.

Just trying to summarize just for the record.

Another resident, Paul Harsha, wrote in support of the proposed Loyal Nine Restaurant and Cafe. My household is very excited about having a new restaurant in the area, particularly one with a patio. I think will greatly add to the neighborhood fabric, making it more vibrant and enlivening what is currently a dead area of Cambridge Street.

And then the only letter in opposition, which was already alluded to, is from Laurence Young that had the same concerns as the prior gentleman.

CHAIR ANDREA JACKSON: Thank you.

Is there anyone else who would like to be heard in this matter? Seeing none --

ANTHONY CHESNAKAS: Could I make another statement or would I be allowed to do that,

ma'am?

CHAIR ANDREA JACKSON: I'll give you an opportunity to give me one more minute but you have to come to the front.

ANTHONY CHESNAKAS: Now or later?

CHAIR ANDREA JACKSON: Now.

ANTHONY CHESNAKAS: Of course most of those people wrote those letters, Tim Toomey doesn't even live there. He's not gonna have to put up with the noise. He lives about five blocks way.

Same thing with the East Cambridge Business Association, they don't live around there. They don't have to put up with that noise at all.

And again, I just want to say it's the current -- you know, the opening until 1:00 in the morning that's a real, real problem serving hard liquor.

Once word gets out --and I don't know how the drinks are going to be. Once words gets out that's available until 1:00 in the morning, that area's gonna have trouble.

Now, if this goes through, Mr. Young told me that -- Larry Young, the MIT professor, will be moving out, I'll be moving out, and you know what happens to a neighborhood when people start to move out, what it turns into.

These are letters of support. These people don't live around there. Thank you, ma'am.

CHAIR ANDREA JACKSON: Thank you.

ASSISTANT FIRE CHIEF GERARD MAHONEY: I make a motion that the application be approved as the agreement with the Chairwoman and the applicants for the patio to be restricted to 10:00 p.m. on Sunday through Wednesday evenings, until 11 p.m. on Thursday through Saturday

evenings.

CHAIR ANDREA JACKSON: With the current seating as noted.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Exactly.

CHAIR ANDREA JACKSON: And if I could make a friendly amendment to the motion, that we bring it back -- when are you slated to think about opening?

DANIEL MYERS: I didn't say, but at the earliest would be around March, but there are a lot of variables we do not know.

CHAIR ANDREA JACKSON: So my friendly amendment would be that we put it on for a six-month review after opening to see if there are any issues with the neighborhood.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Certainly.

CHAIR ANDREA JACKSON: At least that way

any issues with the neighborhood can be addressed.

ATTY KEVIN CRANE: That's fine.

EXECUTIVE DIRECTOR ELIZABETH LINT: With the Sunday hours, because they are advertised as 5 to 11 seven days per week. Dan mentioned that there would be brunch on Sunday, so that would have to be clarified.

CHAIR ANDREA JACKSON: In terms of the hours?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
What would you open at Sundays? 10?

DANIEL MYERS: 10 a.m.

CHAIR ANDREA JACKSON: So that needs to be modified. You just have to be clear that whatever hours are approved are the hours of operation.

DANIEL MYERS: Certainly.

EXECUTIVE DIRECTOR ELIZABETH LINT: So
what would the Sunday hours be?

ASSISTANT FIRE CHIEF GERARD MAHONEY: 10
a.m. to 1 a.m.?

DANIEL MYERS: Yeah, correct.

CHAIR ANDREA JACKSON: So there's been a
motion made with a friendly amendment.

We covered background. 21 Proof would be
a requirement if approved.

Is there a second on the motion and the
friendly amendment?

That just leaves you.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR ANDREA JACKSON: Thank you.

All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: Aye.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Aye.

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APPLICATION - CHEW, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Chew, Inc., Adam Melonas, has applied for a common victualler license to be exercised at 279 Western Avenue. Said license, if granted, would allow food and nonalcoholic beverages to be served, and consumed on said premises with a seating capacity of 58.

The proposed hours of operation are 5 p.m. to 11 p.m. seven days per week.

CHAIR ANDREA JACKSON: Good evening.

ADAM MELONAS: Good evening.

CHAIR ANDREA JACKSON: If you could please state your name for the record spelling your first name and last name.

ADAM MELONAS: Of course. My name is Adam, A-D-A-M, Melonas, M-E-L-O-N-A-S.

CHAIR ANDREA JACKSON: Can you tell us

what you are proposing?

ADAM MELONAS: So the business itself is, it's a -- so I'm a chef. It's all about food innovation and designing new dishes for new restaurants.

The business itself, I'm hoping to open probably one -- probably in the next six months open up a restaurant which has only set menus. No liquor. No wine. That kinda thing.

CHAIR ANDREA JACKSON: So you are looking to open in six months?

ADAM MELONAS: It's going to take a long time to get it started up. We're doing a lot of menu innovation at the moment. So there will be a lot of menu testing and things like that.

So, obviously, I'd look to get this license activated as soon as possible.

POLICE COMMISSIONER ROBERT HAAS: So what did you describe the cuisine as?

ADAM MELONAS: It would be technically considered as progressive cuisine. I think in America you call it molecular gastronomy.

In short it is about basically intelligent cooking. It's about understanding your ingredients and maximizing the potential of each ingredient.

CHAIR ANDREA JACKSON: So in between now and six months from now, what is it that you will be doing in the establishment because I know I have driven by and I've walked by.

ADAM MELONAS: So there's a couple of different models. The first one is we want to be developing what will be the dishes for the menu, and second, a big part of the business is working with other restaurants around the country innovating dishes and food products that are healthier and more sustainable.

So in the meantime, obviously, if I were

granted this license, it would be menu tastings and things like that.

CHAIR ANDREA JACKSON: And for the license you are looking to be open seven days per week 5 p.m. to 11 p.m.?

ADAM MELONAS: That's correct.

CHAIR ANDREA JACKSON: Again, you said it is menu tasting in between that time or --

ADAM MELONAS: Yeah. Or even once we think we've got a number of dishes that we like, then, obviously, we would like to open up on an infrequent basis until that point to be able to test out the validity of those particular dishes.

CHAIR ANDREA JACKSON: And you said open on an infrequent basis?

ADAM MELONAS: Yes.

CHAIR ANDREA JACKSON: But you understand that if this is approved and we approve for the

hours as stated, those are the hours that you have to be open.

ADAM MELONAS: Those hours we'll definitely be open.

CHAIR ANDREA JACKSON: Open and to serve the public, though.

ADAM MELONAS: We would have to closely define that, yeah.

CHAIR ANDREA JACKSON: What do you mean by "closely define that"?

ADAM MELONAS: So in the next six months then, during this development phase, the establishment would be open, but it wouldn't be open necessarily to people walking in off the street to be able to come in and sit down and eat.

CHAIR ANDREA JACKSON: So if the license is granted, it has to be open to the public.

So you are saying it wouldn't necessarily

be open to the public seven days a week 5 to 11?

ADAM MELONAS: Considering it is a restaurant that needs reservations. So you couldn't walk in like most -- like every other restaurant like in every other country. You can't walk in of the street. Sometimes we'll require three or six months to get a seat.

CHAIR ANDREA JACKSON: So I know a few weeks ago the chief investigator for the License Commission stopped into the establishment and noticed that there were bottles of alcohol over to the side as if the bar was set up, can you speak to that?

ADAM MELONAS: Yes. There will be absolutely no liquor or alcohol served to anyone.

This is -- these are for my own use, and obviously the employees that are there as well.

It's not a drinking establishment. It's an end-of-the-day thing for obviously people over

21.

CHAIR ANDREA JACKSON: That is in violation, am I correct, Ms. Lint, of 138?

EXECUTIVE DIRECTOR ELIZABETH LINT: I believe it is, 138.

ADAM MELONAS: It is not being sold.

CHAIR ANDREA JACKSON: It doesn't matter. State law prohibits sales, storage transportation, et cetera, you have to have a license for it if it is on premise, so you can't store it, and I believe that's what Investigator Boyer said to whomever it was that she spoke to, I'm not sure if it was you, that the alcohol can't even been stored there.

ADAM MELONAS: So it can be removed by tomorrow, that's fine.

POLICE COMMISSIONER ROBERT HAAS: You are not going to use any alcohol in your cooking at all?

ADAM MELONAS: Very, very rarely
basically, if not at all.

EXECUTIVE DIRECTOR ELIZABETH LINT: You
can have it for cooking purpose.

CHAIR ANDREA JACKSON: You can have it
for cooking purposes. You can't have four
bottles of Jack Daniels and three bottles of
vodka.

ADAM MELONAS: You don't necessarily need
alcohol to cook.

POLICE COMMISSIONER ROBERT HAAS: I am
thinking if you are doing this kind of cooking
that I imagine you will use some alcohol to
either enhance or --

ADAM MELONAS: I can tell you that the
notion of cooking with alcohol and those big
heavy, rich sauces and things like that, that's
definitely something of the past.

What I do, it's about manipulation of

particular ingredients and understanding those ingredients, so it's not utilizing alcohols within sauces or cooking. It's about utilizing specific ingredients and understanding those ingredients.

CHAIR ANDREA JACKSON: So at the end the day, will the alcohol that's there be removed?

ADAM MELONAS: Yes, it will.

CHAIR ANDREA JACKSON: Do we have a butter notifications?

ADAM MELONAS: We did send those out.

EXECUTIVE DIRECTOR ELIZABETH LINT: I don't have the green cards. I just --

ADAM MELONAS: I wasn't aware I needed that.

EXECUTIVE DIRECTOR ELIZABETH LINT: You should have received green cards back to whoever you sent.

ADAM MELONAS: My assistant put this

together. We have photocopies of them. Is it these ones?

EXECUTIVE DIRECTOR ELIZABETH LINT: No, I have that.

ADAM MELONAS: Is it these?

ASSISTANT FIRE CHIEF GERARD MAHONEY: No. She's got those.

CHAIR ANDREA JACKSON: Show him one from the other files.

(Indicating.)

ADAM MELONAS: So, no, I don't have those with me.

EXECUTIVE DIRECTOR ELIZABETH LINT: You need those.

CHAIR ANDREA JACKSON: You understand we need to have those green cards in the office?

ADAM MELONAS: That's fine.

Can I send them here tomorrow?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Uh-huh.

CHAIR ANDREA JACKSON: I'm still struggling with the hours of operation and who is going to be able to come in to eat.

I will see if any of my colleagues have any other questions before I go back to mine.

ASSISTANT FIRE CHIEF GERARD MAHONEY: I'm puzzled by that myself.

POLICE COMMISSIONER ROBERT HAAS: I have no other questions besides that one.

CHAIR ANDREA JACKSON: We need you to go back and explain to us the whole concept in terms of when you are going to be open, the hours of operation, and if this is truly, in fact, open to the public. That's the concept we are struggling with.

ADAM MELONAS: Let me give you an example.

So the restaurant that I opened up in

Dubai, it took me nine months to create the menu, not through inefficiency but through the fact that the particular type of cooking that I do takes a very long time to develop what these particular techniques are because these techniques don't exist today.

So throughout this next period, I am -- obviously I'm in there innovating, I've got food scientists and I've got chefs in there every single day creating these things, obviously, with myself.

And the idea is that once we believe that we have particular dishes that we feel that people will obviously, hopefully, love, then that will be the period during these next six months where the establishment -- where I will be looking to open the establishment utilizing social media to allow people to understand that we have a menu that's being put together until

that six-month mark.

If we aren't able to open the doors in the next six months, then (a) we can't test it, and it's also going to be on this kind of infrequent basis between now and then.

ASSISTANT FIRE CHIEF GERARD MAHONEY: It sounds like you are, for lack a better term, like a test kitchen type of thing or am I oversimplifying it?

ADAM MELONAS: No, no, I think it's probably a good analogy. I think to help you understand, every restaurant that I have had in the five countries I have had restaurants have always had a test kitchen associated with the main kitchen. This is kind've one and the same in the fact that we are not actually -- the doors are not officially open yet, although we finished construction two and a half, three months ago. So effectively it is a test kitchen, which is a

kitchen, so it's kind've one and the same.

POLICE COMMISSIONER ROBERT HAAS: So you've developed some menus already, I understand, because of your past experience, why wouldn't you be able to run a kitchen as you just proposed with a test kitchen that you could on occasion test with your patrons different menu samplings because the problem you have is, if you are doing this infrequently, it sounds to me there could be periods of time when you will be closed to the public while you are doing this -- developing these menus and then at times you will be open.

Well, the CV license doesn't allow for that. That's the problem. So you may have been able to do that in other countries, but our license doesn't allow for infrequent openings, so I'm wondering if there's an opportunity for you to take some of your menu that's already proven,

use that as your base menu to bring patrons into the restaurant and at the same time do your test kitchen to develop these other --

ADAM MELONAS: The problem -- and I'll give you another very good example. The problem is distraction.

So there was a chef who I was working for a period of time, he was the No. 1 chef in the world, and he said that the day that the consumer coming to his restaurant would delay progression of food or hold him back from doing what he wanted to do because he was too distracted, he would rather close the restaurant than be distracted or have food not progress as fast.

So in this particular model, I also say that I will never serve something in a restaurant that I haven't created in that restaurant.

So, yes, I can bring back one of the thousands dishes that I have created in my past,

but those are old.

So the objective is, is that everything that we do there has to be brand-new created there at that particular location.

So there is, obviously, there's an extended period of time, and as I mentioned before, there was a nine-month period before I could even open the doors in Dubai of the seven-star hotel.

POLICE COMMISSIONER ROBERT HAAS: But your concept doesn't fit with the constraints of the license, that's the problem.

I'm trying to figure out how you can try to accomplish that and still be able to work on your concepts, so, you know, unless I'm wrong, I don't know how you could -- we can approve a license where it will allow that flexibility.

ADAM MELONAS: Right. So then the options, what would they be?

POLICE COMMISSIONER ROBERT HAAS: One option would be, as you initially stated, having a regular kitchen with an associated test kitchen where you do have a base menu where you could be open for the hours that you are advertising.

You can change your hours for now and then come back and modify your hours later when you are ready to ramp up your menu. But whatever you advertise, you have to be open for your hours. And right now you might go to a modified set of hours with a base menu with a notion that maybe you will hire one chef, do your base menu while you and the other chefs are developing new menus in some associated kitchen, and every once in awhile, allow your patrons to sample. I mean, that's one way of doing it.

I just don't know how you are gonna be able to run solely a test kitchen and then when you are ready to open to the public.

ADAM MELONAS: Is there a limit to that?
I mean, is it absurd to say that only one day per week? Is there a license for one day per week restaurant?

POLICE COMMISSIONER ROBERT HAAS: I think you can be open as many hours or days you want, right? You have to be open that time.

So if you decided you want to do three days a week for a specific period of time initially, and you wanted to do weekends, and then with the idea at some point in time, once you develop your menu, then you come back to the Commission and reapply for a new set of hours. You can do that.

But you have to be open for whatever hours you get a license for.

ADAM MELONAS: Okay, which I think is the challenging part. That's not something that I need to --

POLICE COMMISSIONER ROBERT HAAS: I mean, you can work all week long and weekends do your samplings, right, and then spend the next week working on your menu again and then reopening.

I don't know if you can survive that way financially. That's something you have to figure out.

ADAM MELONAS: That part is fine. As I mentioned, a bigger part of the business is designing these things and scaling them across the world at the moment.

Okay, so is that something that we need to decide obviously right now?

POLICE COMMISSIONER ROBERT HAAS: You don't have to.

CHAIR ANDREA JACKSON: We can continue this matter.

I would just like to hear a little more about your background, if you don't mind, and

then go back to hours.

So I would like to hear -- because I know when I looked through the file, there wasn't a lot of information.

Tell me a little about your background. That would be helpful.

ADAM MELONAS: So I'm a chef of 18 years. I started cooking when I was 14-years-and-nine-months old professionally.

Obviously, given my accent, I'm Australian, left school early, started my apprenticeship with a Hyatt Hotel, left Australia when I was 18 because I figured I had more questions than I could have find answers.

So I left, moved to London became executive chef of a fine dining restaurant in Notting Hill by 19-years-old.

Left London at 21, headed to Dubai, executive chef for a fine dining restaurant in

the Shangri-La in Dubai, then took an internal transfer, the Shangri-La Group wanted to create the No. 1 restaurant in Asia, so I moved to Shanghai for a couple years, and then the back to Dubai to the seven-star hotel as executive chef of the fine dining restaurant.

Then took an opportunity with No. 1 chef in the world to take over an innovation lab in Spain, and took over the innovation lab in Spain and did that for four years.

And then I was approached by an American businessman to create to see if I was interested in creating a company here in the US to remove the bad stuff from candy, it is a consumer package goods company, so we started a company four years ago. Took 50 percent of the sugar out of candy, increased protein, increased fiber and made them all real, natural, ended up selling those products in 34,000 stores nationwide.

Then back in October last year incorporated this company with the mission and endeavor to (a) create brand-new dishes and (b) make them healthier and more sustainable for the planet. Now I'm sitting here today.

CHAIR ANDREA JACKSON: How did you find this location?

ADAM MELONAS: This particular location was strategically chosen because of its proximity to Harvard and MIT, also another couple of organizations I work with, like IDO and UV Studio down the road.

Proximity is, obviously, very important with convenience, so I was hoping to get a high level of cross-pollination between these particular intelligent establishments and my own business because the companies I've had before would always involve intellects from many varied fields to obviously have an impact with the

food.

CHAIR ANDREA JACKSON: So based on everything that I have heard this evening -- and before I do that, are there any members of the public that wish to be heard in this matter.

Sir, if you could come forward.

Feel free to have a seat.

JAMES LIN: My name is James Lin, L-I-N last name.

I own a property right next to the restaurant, 275 Western Avenue. Today I come here to -- what's the parking situation. All the neighbors, if that open to the public, the parking would be big trouble. According go to the -- Western Avenue, only probably four or five meter parking. Other than that all the permit parking, so by the time you open to the public, all the neighbors probably have no parking space. And plus they gonna have 60 seat or something.

So ten car or 11 car, hard to find parking space. Even right now, it's 8:00, myself, if I driving up there, I could not find any parking spots in that area.

CHAIR ANDREA JACKSON: Do you live next door to --

JAMES LIN: I don't live there. Sometimes I got to go there.

CHAIR ANDREA JACKSON: So your concern is about the parking?

JAMES LIN: Parking in the neighborhood. Otherwise the whole -- Western Avenue got to change from the permit parking to the meter parking, that would be one of the issues. And the second, I talking to a couple of my neighbor, too bad they did not show up. Last couple weeks ago they were here, but instead they did not show up. The restaurant there, we thought that only open for a party or a catering, not a daily open

restaurant, like if they have a party, somebody hire the parking, and party place, so they have a party gathering. I find out it's become the restaurant. So that's something different. We need to know more detail about that.

CHAIR ANDREA JACKSON: You thought initially it was going to be catering for parties and not a sit-down restaurant that was open seven days a week?

JAMES LIN: That's correct.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
What was in the space prior?

ADAM MELONAS: It was actually sitting vacant for the last three years.

EXECUTIVE DIRECTOR ELIZABETH LINT: Ebony Club.

CHAIR ANDREA JACKSON: The Ebony Club and next door was the -- I don't know if you know what was. I think it was the Ebony Club and then

also the laundromat.

EXECUTIVE DIRECTOR ELIZABETH LINT: And they did that whole rebuild.

ADAM MELONAS: It's been vacant for three years.

EXECUTIVE DIRECTOR ELIZABETH LINT: And there was an application before the board I think two years ago for -- and that never happened.

JAMES LIN: Always a neighbor bar over there, so not many people there, so a quiet, nice neighbor. If open up to the public as a restaurant, I just worry about it will be very crowded there and the parking. Thank you very much. That's what I can say.

CHAIR ANDREA JACKSON: Thank you very much.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Thank you.

CHAIR ANDREA JACKSON: Anyone else who

wishes to be heard in this matter?

MARC LEVY: I'm Marc Levy, M-A-R-C
L-E-V-Y. I hadn't heard about this before
tonight but just looking at your past, it just
sounds like it will be an exciting opportunity
for Cambridge, just part of the innovation that
makes Cambridge really special but off on a
direction that I don't think Cambridge is
especially known for. Lots of great restaurants
but actually innovation in food is sort've an
exciting way to go, so I hope that the parking
gets worked out.

CHAIR ANDREA JACKSON: Thank you.

So based on what I heard this evening, I
think I would like to make a motion that we
continue this matter just so I can kind of look
at the regs, do some research and checking around
to see how we can make this work for your type of
business. So I don't want to give a date that we

continue it by. We would let you know. I make a motion that we continue this matter.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Aye.

CHAIR ANDREA JACKSON: We are going to continue and we'll let you know when it is back on.

ADAM MELONAS: Thank you. Appreciate that.

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APPLICATION: CRYSTAL LUNCH, INC. D/B/A
CAN TAB LOUNGE AND THIRD RAIL

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Crystal Lunch, Inc., d/b/a Can Tab

Lunge, Third Rail, Stephen Ramsey, manager, holder of an all alcoholic beverages restaurant license at 738 Massachusetts Avenue has applied for a change of officers/directors and transfer of stock.

CHAIR ANDREA JACKSON: Is there anyone here for this application?

Seeing none, let's go to the next item.

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APPLICATION - A.W. CHEN, INC. D/B/A PATTY CHEN'S DUMPLING ROOM

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: A.W. Chen, Inc., d/b/a Patty Chen's Dumpling Room, Marc Shulman, manager, has applied for a common victualer license to exercised at 970 Main Street. Said license, if granted, would allow food and nonalcoholic beverages to be sold, served and consumed on said premises with a seating capacity of 30.

The proposed hours of operation are 11:30 a.m. to 12 a.m. seven days per week.

ATTY ERICA TENNYSON: Good evening, Madam Chair and Commissioners. My name Erica Tennyson, E-R-I-C-A. T, as in Tom, E-N-N-Y-S-O-N. With me is Marc Shulman, M-A-R-C S-H-U-L-M-A-N, who is the owner and manager of the restaurant. We are here about Patty Chen's Dumpling Room, which opened last year. Certainly in operation.

We are not asking for any changes to the outward facing restaurant. What we are talking about is -- it opened last year under the Pao Tse Sim name.

MARC SHULMAN: P-A-O T-S-E S-I-M.

ATTY. ERICA TENNYSON: Three words Pao Tse Sim Incorporated. That is the corporation that owned and operated Pupu Hot Pot, P-U-P-U. And that was owned by Patty's parents and Patty Chen, that's the entity that opened this

restaurant and basically when Patty Chen took over the Pupu Hot Pot space. Marc has been involved as the manager and effectively owner. Marc and Patty are married. But we are just trying to formalize the transition to the A.W. Chen ownership, which is a corporation owned by Marc and then Patty as his wife.

We already have the lease in A.W. Chen's names, the worker's comp is in the A.W. Chen name, and I think all the bank accounts are in the A.W. Chen name and the common vic license is the last step to formalize the transaction.

But as I said, it is really just a corporate formality and not -- it won't change the operation of the restaurant in any way.

The hours are the same and the seating is the same and the people involved are the same.

CHAIR ANDREA JACKSON: Why the change?

MARC SHULMAN: Well, Mr. Chen he was

diagnosed with early on-stage Alzheimer's.

Stephen decided he wanted to move his family to Houston and Richard doesn't want to be involved in the restaurant business, so Patty was left holding the cards and me, being her husband, I wanted to pick up the pieces and fix whatever was broken.

So we came up with a better concept that would streamline it. The landlord was very excited to revitalize the space that was just losing a lot of its luster after 20 years.

ATTY ERICA TENNYSON: The restaurant changed from Pupu Hot Pot to Patty Chen's Dumpling Room and now we are just basically finalizing that change on a corporate level.

Because those people are no longer involved in the restaurant they shouldn't -- that shouldn't be the entity that's holding it and effectively they are not.

CHAIR ANDREA JACKSON: And nothing else has changed? Hours of operation, seating capacity, everything is still the same?

ATTY ERICA TENNYSON: The menu, everything is the same.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Any questions?

ASSISTANT FIRE CHIEF GERARD MAHONEY: No.

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

Seeing none I make a motion that we accept the application for CV in the name of A.W. Chen, Inc., doing business as Patty Chen's Dumping Room.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Second.

CHAIR ANDREA JACKSON: All those in favor

signify by saying aye.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Aye.

CHAIR ANDREA JACKSON: Aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: You are all set.

Excuse me, gentlemen, are you here for a particular matter?

GEORGE DELANEY: I think we came late.

We wanted to see the 660 Cambridge Street proposal.

CHAIR ANDREA JACKSON: It's already been heard.

GEORGE DELANEY: Yeah, that's what we thought, okay.

Did it get approved?

CHAIR ANDREA JACKSON: It did with modifications in terms of what was advertised.

GEORGE DELANEY: Are they going to do

breakfast?

CHAIR ANDREA JACKSON: I'm sorry, if you can please come forward and have you identify yourselves for the record. You made an effort to be here, at least --

GEORGE DELANEY: I'm George Delaney, D-E-L-A-N-E-Y. I'm president of Delaney Properties. I own 12 apartments on Lambert Street, which is very near 660 Cambridge Street so I was just interested to see if I could testify in support of this because as landlords and business owners we are trying to help revitalize the community and any kind of good restaurant, you know, we would like to be in support of that. 3.

The hours in the notice were 8 a.m., so we are wondering if there's going to be a breakfast service or why they were going to be open at that time.

CHAIR ANDREA JACKSON: There is
breakfast, is that correct?

EXECUTIVE DIRECTOR ELIZABETH LINT: The
cafe.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Cafe and brunch on Sundays.

GEORGE DELANEY: Okay, great. So given
that, I know the matter is closed but if you
could just perhaps record that we're in support
of this and we think it's a great asset to bring
to the community.

CHAIR ANDREA JACKSON: Great. Thank you
for coming in.

GEORGE DELANEY: Thanks for the
opportunity.

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APPEAL - ABEL TEKLESELASSA

EXECUTIVE DIRECTOR ELIZABETH LINT:

Appeal: Abel Tekleselassa, Hackney license

29907, due to a fine imposed by the Hackney officer and upheld by Executive Director.

CHAIR ANDREA JACKSON: Good evening.

ABEL TEKLESELASSA: My name is Abel --

CHAIR ANDREA JACKSON: Spell your name for me and you have to say it slow enough so we can take it.

ABEL TEKLESELASSA: A-B-E-L
T-E-K-L-E-A-E-L-A-S-S-A.

So my understanding is that you are here this evening because you were initially issued a citation in the amount of \$300, which was subsequently reduced to \$200 as a result of picking up a passenger, as I understand the allegations, picking up a passenger, texting while driving.

EXECUTIVE DIRECTOR ELIZABETH LINT: Would you like me to give the basic facts?

CHAIR ANDREA JACKSON: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT: So on July 28, 2014, Officer Arcos (phonetic) received a complaint from an individual who had taken Mr. Tekleselassa's cab at approximately 2 p.m.

She stated it was a very hot day and the cab had no air conditioning on. She stated that when she asked the driver to turn it on, she was told it was broken.

She went onto say that he spent the entire trip texting from a phone in his lap, and in addition, once at her designation, she gave the driver two, ten dollar bills and was told that he didn't have an any change.

When she said she would pay by credit card, she was told that's fine but it would cost more, and then she was told that the machine was broken.

Officer Arcos conducted an investigation of the incident. He's determined that this

driver does have "cash only" signs on his cab, so he did not find him in violation for not taking the credit card.

However, in order to determine if he was the driver involved with this complaint, he asked to see the waybill and was told that he didn't have one, and in fact, that he never has one.

That is a violation of the rules and regulations of the Hackney division.

In addition Officer Arcos asked about the fare, at first he denied it was him, and it wasn't until a second interview that he admitted to Officer Arcos that it was him.

He then fined him \$300 for failing to have change for a \$20, texting while driving, refusing to turn on the air condition and not having a waybill.

That was appealed to me.

We held an appeal hearing on August 19,

2014. At this time Mr. Tekleselassa could not offer any explanation as to what had transpired other than to tell me that it wasn't true.

He admitted that he did not have a waybill, he said that the air conditioning was on, he wasn't texting, and that the woman gave him a ten dollar bill and five dollar bill and he did not have any coins to give her back.

Mr. Tekleselassa has only been driving since 2012 and has not had any incidents or complaints in that time. It was for that reason that I reduced the fine to \$200.

I explained to him that it was imperative to have a waybill with him at all times, and he understood that, but he also told me that he never used waybills.

CHAIR ANDREA JACKSON: What is the basis of your appeal?

ABEL TEKLESELASSA: Because I --

something I never did it before. I didn't do it for the customer, and even driving and texting, usually when I use the GPS, I use my phone, I put my phone right here on my legs. So the texting, I never been texting. Even if I have a customer inside my cab, I never answer my phone. And I haven't -- I have been like driving like for two years and I never have any complaints or anything from customers.

And also the bill, the credit card machine, she said it's broken, my cab they don't have any credit card machine at all. They have only the cash price on the window. But she claim like she have -- the machine she said is broken.

And the second thing is she give me \$15, she said \$20, and then the fare come to \$14.17. I told her, I don't have a bill, I don't have a quarter to give you. So even when I went, when we start the trip, she like having a hard time,

she was having, I think, a bad day, she was in a rush, it was like about 3:00, so there's traffic, and she was trying to give me hard time. She was trying to yell at me.

And then finally she start like, okay, I'm going to put you in trouble. She just repeat this. And also, I give her receipt. If she want to prove it, she can bring the receipt, the one I gave her.

CHAIR ANDREA JACKSON: So you said you keep your phone on your lap to use your GPS. So you needed your GPS to go from --

ABEL TEKLESELASSA: No, I didn't use GPS that day. I always put my phone right here on my legs.

CHAIR ANDREA JACKSON: So you are saying that you weren't using your phone at all?

ABEL TEKLESELASSA: No, I never, I never use it.

CHAIR ANDREA JACKSON: So why do you think she would say that your phone was on your lap and you were texting the whole way?

ABEL TEKLESELASSA: When we started the trip, like it was like about 3:00, around 3:00, there's traffic, she wasn't happy, and she was like determined to go fast and to use some other directions and she started like telling me she want to pay credit card. I said, ma'am, I don't have credit card machine. And but she said the credit card machine is broken. The car is very new. Even if somebody inside and not out, even if there's no customer inside the cab, it's always on, the AC is on. The officer already saw. The AC always on. But she just keeping telling me like, okay, I'm going to put you in trouble. I'm going to put you in trouble. She was trying to yell at me.

CHAIR ANDREA JACKSON: Do you understand

that she says that the fare was \$12.40 and that she gave you two tens and you said you didn't have change for it.

ABEL TEKLESELASSA: No. There's no \$12.40 fares. She give me \$15, \$10 and \$5, and the fare come to fourteen seventeen cents.

CHAIR ANDREA JACKSON: What type of receipt did you give her?

ABEL TEKLESELASSA: The blank receipt.

CHAIR ANDREA JACKSON: The blank receipt?

ABEL TEKLESELASSA: Yes, she ask me for a blank receipt and I give her blank receipt.

ASSISTANT FIRE CHIEF GERARD MAHONEY: She asked for a blank receipt?

ABEL TEKLESELASSA: She asked for a blank receipt.

CHAIR ANDREA JACKSON: Ms. Lint, what were the charges, so to speak, that he was the fine was based on?

EXECUTIVE DIRECTOR ELIZABETH LINT: Not having a waybill, not having change, and texting while driving and refusing to turn on the air conditioner.

CHAIR ANDREA JACKSON: I'm looking through, and I note that Officer Arcos said he checked and the air conditioner was working.

ABEL TEKLESELASSA: The officer, when he came over, before he asked me, the air conditioner is working, he saw it is on.

CHAIR ANDREA JACKSON: What is the current status of your driver's license? Is it active?

ABEL TEKLESELASSA: Yeah, it's active.

CHAIR ANDREA JACKSON: Do you have any outstanding fines you haven't paid yet?

ABEL TEKLESELASSA: No, I don't.

CHAIR ANDREA JACKSON: Why would the status of your license then be active

nonrenewable?

POLICE COMMISSIONER ROBERT HAAS: Do you have parking tickets?

ABEL TEKLESELASSA: Probably. Boston.

POLICE COMMISSIONER ROBERT HAAS: So you have to take care of your parking tickets if you want to renew your license again. It seems to be expired.

ASSISTANT FIRE CHIEF GERARD MAHONEY: This has been since January 30, 2014. It is now September 30, 2014.

ABEL TEKLESELASSA: From the Cambridge?

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

ASSISTANT FIRE CHIEF GERARD MAHONEY: It says Everett.

ABEL TEKLESELASSA: I already paid them.

CHAIR ANDREA JACKSON: You said you already paid it?

ABEL TEKLESELASSA: I already paid it.

CHAIR ANDREA JACKSON: When did you pay it?

ABEL TEKLESELASSA: I think it's almost last year.

EXECUTIVE DIRECTOR ELIZABETH LINT: This was run in February unless you have an updated one.

ASSISTANT FIRE CHIEF GERARD MAHONEY: This is run September 18.

EXECUTIVE DIRECTOR ELIZABETH LINT: I don't have that one. He didn't give me that one.

CHAIR ANDREA JACKSON: It was run September 18. And it could've been paid last year because it just says an incident date, January of this year.

I have no other questions.

Do you?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: I make a motion

that we the fine stands as-is at \$200. Is there
a second?

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: So the fine stands
as-is. You have a right to appeal that as well.

ABEL TEKLESELASSA: Okay.

CHAIR ANDREA JACKSON: You are all set.

ABEL TEKLESELASSA: So I'm going to
receive by mail?

CHAIR ANDREA JACKSON: I make a motion
that we adjourn.

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

CHAIR ANDREA JACKSON: I always forget
the ratifications.

- - -

RATIFICATIONS

EXECUTIVE DIRECTOR ELIZABETH LINT: They are all refinances. Medallion 73, 75, 103, 175, 77, 80, 12, 30, 93, 1, 62, 118.

CHAIR ANDREA JACKSON: All refinances?

EXECUTIVE DIRECTOR ELIZABETH LINT: All refinances.

POLICE COMMISSIONER ROBERT HAAS: All paperwork is in order?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

POLICE COMMISSIONER ROBERT HAAS: Make a motion to accept.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Aye.

CHAIR ANDREA JACKSON: I make a motion
that we adjourn.

POLICE COMMISSIONER ROBERT HAAS: Second.

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

ASSISTANT FIRE CHIEF GERARD MAHONEY:
Aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

(The hearing was adjourned).

ERRATA SHEET

INSTRUCTIONS: After reading the transcript, note any change or correction and the reason therefor on this sheet. Sign and date this errata sheet.

PAGE	LINE	
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I have read the foregoing transcript, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

CERTIFICATION

Commonwealth of Massachusetts
Norfolk, ss.

I, Jill Kourafas, Certified Shorthand Reporter, 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 with the exception that some statements may not appear due to heavy accents, unclear speaking, rapid and overlapping speaking, private conversations, those speaking too softly or incoherently, not identifying themselves and proper names/places will be spelled phonetically if not spelled while on the record.

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Jill Kourafas
Certified Shorthand Reporter - License No. 14903

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