

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR ANDREA JACKSON

POLICE COMMISSIONER ROBERT HAAS

FIRE CHIEF GERALD REARDON

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

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

DATE: Tuesday, June 16, 2015

TIME: 6:03 p.m. to 9:12 p.m.

REPORTERS, INC
CAPTURING THE OFFICIAL RECORD
617.786.7783 - www.reportersinc.com

INDEX OF AGENDA

| <u>AGENDA MATTERS</u> | <u>PAGE</u> |
|---|-------------|
| APPLICATION: SONESTA INTERNATIONAL HOTELS CORPORATION D/B/A ROYAL SONESTA HOTEL | 4 |
| APPLICATION: RIVERSIDE HALL LTD | 8 |
| APPLICATION: RIVERSIDE HALL LTD, D/B/A NEW ENGLAND SCHOOL OF ENGLISH-RIVERSIDE LTD | 15 |
| APPLICATION: BOWERY CAMBRIDGE, LLC D/B/A THE SINCLAIR | 21 |
| APPLICATION: BOSTON BBQ COMPANY, LLC D/B/A SMOKE SHOP | 34 |
| APPLICATION: CLASSIC RESTAURANT CONCEPTS, LLC | 55 |
| APPLICATION: Central Square RESTAURANT PARTNERS, LLC, D/B/A THE ASGARD IRISH PUB AND RESTAURANT | 64 |
| APPLICATION: PORT LANDING TENANT, LLC | 69 |
| APPLICATION: CAFE ARTSCIENCE, INC D/B/A CAFE ARTSCIENCE | 77 |
| APPLICATION: RESTAURANT ASSOCIATES, LLC D/B/A RESTAURANT ASSOCIATES AT INFINITY | 79 |
| APPLICATION: RESTAURANT ASSOCIATES, LLC D/B/A RESTAURANT ASSOCIATES-JAZZ CAFE | 80 |
| APPLICATION: TIANEARN CORPORATION D/B/A MIX IT | 86 |
| APPEAL: GEORGE GEBARA | 96 |

INDEX OF AGENDA

| <u>AGENDA MATTERS</u> | <u>PAGE</u> |
|---|-------------|
| APPLICATION: CARDULLO'S GOURMET FOOD SHOPPE, INC D/B/A CARDULLO'S GOURMET SHOPPE | 108 |
| APPLICATION: ORHAN TAS D/B/A CAFE ANTHONY 983 123 | |
| APPLICATION: UNO RESTAURANTS, LLC UNO PIZZERIA & GRILL | 129 |
| APPLICATION: INMAN CAMBRIDGE, LLC D/B/A INMAN SQUARE WINE & SPIRITS | 133 |

P R O C E E D I N G S

June 16, 2015

EXECUTIVE DIRECTOR ELIZABETH LINT: We would like to get started. If anyone has a phone on, we would appreciate it if you would turn it off.

You need to leave that back doorway clear and open.

This is the License Commission general hearing, Tuesday, June 16, 2015 at 6:03. We're in the Michael J. Lombardi Building, 831 Mass Ave, Basement Conference Room.

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

APPLICATION: SONESTA INTERNATIONAL HOTELS
CORPORATION D/B/A ROYAL SONESTA HOTEL

EXECUTIVE DIRECTOR ELIZABETH LINT: First

matter is the application of Sonesta International Hotels Corporation doing business as Royal Sonesta Hotel. Michael Medeiros, manager, holder of an all alcoholic beverages hotel license at 40 Edwin Land Boulevard has applied for a change of officers/directors of the corporation.

MICHAEL MEDEIROS: Good evening.

RICHARD PEARL: Good evening.

CHAIR ANDREA JACKSON: Good evening. If you could both just state your names for the record, spelling your first and last names?

MICHAEL MEDEIROS: Michael Medeiros, M-I-C-H-A-E-L, M-E-D-E-I-R-O-S. I'm the general manager of the hotel.

RICHARD PEARL: Richard Pearl, R-I-C-H-A-R-D, P-E-A-R-L. I'm the vice president, treasurer and chief financial officer.

CHAIR ANDREA JACKSON: You're here this

evening for a change of officers/directors of the corporation?

RICHARD PEARL: Yes, ma'am.

CHAIR ANDREA JACKSON: If you can briefly describe that to us, what the change is?

RICHARD PEARL: In February of this year, our chairman, chief executive officer and president resigned from the corporation, so we appointed a new president and CEO in January effectively replacing Bill Sheehan with Carlos Flores, who's been an executive vice president of the corporation for more than three years.

We're also adding an executive vice president of operations to our application.

CHAIR ANDREA JACKSON: Again, at the corporate level, so it affects all of your locations?

RICHARD PEARL: Yes.

CHAIR ANDREA JACKSON: And the change has

already taken place, correct?

RICHARD PEARL: Yes, ma'am.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No questions.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

EXECUTIVE DIRECTOR ELIZABETH LINT: All the backgrounds are fine.

CHAIR ANDREA JACKSON: Backgrounds are fine.

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 change of officers/directors of the corporation for Sonesta International Hotels Corporation doing business as Royal Sonesta Hotel.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You're all set.
Thank you.

RICHARD PEARL: Thank you very much. I
appreciate your time.

APPLICATION: RIVERSIDE HALL LTD

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Riverside Hall, Limited, Brian J
Clavette, resident manager, holder of a lodging
house license for 45 rooms and 85 persons at
11-15 Green Street has applied for a change of
resident manager to Nathan Wilber.

CHAIR ANDREA JACKSON: Good evening.

NATHAN WILBER: How are you doing?

CHAIR ANDREA JACKSON: If you could

please state your name for the record, spelling your first name and last name.

NATHAN WILBER: Nathan Wilber.

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

NATHAN WILBER: N-A-T-H-A-N, W-I-L-B-E-R.

CHAIR ANDREA JACKSON: You have applied to be the resident manager and this is for the 11/15 Green Street location?

NATHAN WILBER: That's correct.

CHAIR ANDREA JACKSON: How long have you been there?

NATHAN WILBER: I have been there since March.

CHAIR ANDREA JACKSON: Where were you at prior to coming to this location?

NATHAN WILBER: I was working customer service at a golf club in Plymouth, Massachusetts.

CHAIR ANDREA JACKSON: Can you tell us a little bit about that duties of the resident manager for this particular location?

NATHAN WILBER: I have on-call hours, where I'm on call for any students that need anything at all. I handle ordering dinners and tending, I handle communicating with maintenance, security personnel, housing, cleaning department and changeover weekends where we welcome new students and departing students leave.

FIRE CHIEF GERALD REARDON: What is the average length of stay for students? Is it a full semester? Is it monthly.

NATHAN WILBER: We have -- a session is one month, so people can come for one month. They can come for 12 months or 24 months.

FIRE CHIEF GERALD REARDON: So you have a pretty high turnover every --

NATHAN WILBER: Yeah. Usually during the

summer. A lot of students will come for the summer, or they'll just come for a month and then leave. We have a wide variety as well.

POLICE COMMISSIONER ROBERT HAAS: You described yourself as being on-call, tell me at what that means?

NATHAN WILBER: Just if any students need help with anything, if something happens at the dorm, the alarm goes off, someone needs to get in the building, we have a 24-hour line and I'm there to answer it and any building matters.

POLICE COMMISSIONER ROBERT HAAS: Are you on premises?

NATHAN WILBER: When I'm on-call I'm within premises, not always in the building.

POLICE COMMISSIONER ROBERT HAAS: Tell me what that means.

NATHAN WILBER: So I'll be in the area. If something happens, I'm 20 minutes away.

POLICE COMMISSIONER ROBERT HAAS: How much time would you typically spend in the building, physically being at the building?

NATHAN WILBER: A good amount of time, at least 8 to 12 hours probably.

POLICE COMMISSIONER ROBERT HAAS: A day?

NATHAN WILBER: Yeah.

POLICE COMMISSIONER ROBERT HAAS: About five days a week?

NATHAN WILBER: Every day.

POLICE COMMISSIONER ROBERT HAAS: All seven days?

NATHAN WILBER: Yeah. I have every other weekend off.

POLICE COMMISSIONER ROBERT HAAS: All right.

CHAIR ANDREA JACKSON: Any other questions?

POLICE COMMISSIONER ROBERT HAAS: No

other questions.

CHAIR ANDREA JACKSON: Any other questions?

FIRE CHIEF GERALD REARDON: So where it's a quicker turnover, what is the documentation you give to a student coming in, in terms of conduct, emergencies, exits.

NATHAN WILBER: Yep. We have a welcome package that describes everything about Green Hall and anything they need to know, phones, where to send mail. We have a rule sheet where we list all the rules that they need to abide by. We have them sign it and provide all the fines and penalties for breaking such fines or such rules. A welcome packet from the school that tells them everything they're going to do their first week in their first session in school. And just a couple other just wide range of materials.

FIRE CHIEF GERALD REARDON: In terms of a

fire drill, or fire instructions to exit, is that including in the package.

NATHAN WILBER: It's included in the package and we have instructions in each dorm room.

FIRE CHIEF GERALD REARDON: Thank you. All set.

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

Seeing none -- is the paperwork in order?

EXECUTIVE DIRECTOR ELIZABETH LINT: It is.

CHAIR ANDREA JACKSON: I make a motion that we approve Nathan Wilber as the resident manager for a lodging house license, 45 rooms and 85 persons at 11 to 15 Green Street. This is for the change in resident manager.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You're all set.

Thank you.

APPLICATION: RIVERSIDE HALL LTD, D/B/A
NEW ENGLAND SCHOOL OF ENGLISH-RIVERSIDE LTD

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Riverside Hall Limited, doing
business as New England School of
English-Riverside Limited, Alysha Nguyen,
resident manager, holder of a lodging house
license at 2222 Mass Ave with 15 rooms for 14
occupants has applied for a change of resident
manager to Eric King.

ERIC KING: Hello.

CHAIR ANDREA JACKSON: Good evening.

ERIC KING: Good evening.

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

ERIC KING: Sure, Eric, E-R-I-C, King, K-I-N-G.

CHAIR ANDREA JACKSON: And you're applying to be the resident manager at the location of 2222 Mass Ave?

ERIC KING: Yes, ma'am.

CHAIR ANDREA JACKSON: Can you tell us a little bit about your background, how long have you been there and where you were at prior to coming?

ERIC KING: I started April 3rd; however, prior to coming to the school, I managed college dormitories on campus for three years; two years at Becker College in Worcester; and one year at Marlboro College up in Vermont. And so, it's

very similar to previous work that I have done.

CHAIR ANDREA JACKSON: In your location, can you tell us a little about your duties?

ERIC KING: Sure. It's a bit smaller building than Nathan's. We have 14 students, 15 residents, if you include myself. There's really two main aspects of the job; there's the interpersonal aspect helping students get comfortable with their stay in America, and there's the property management aspect of it, things that need attention in the building, certain maintenance issues, certification issues, which we're going through now. And so, those are the two main aspects of the position, interpersonal and property management.

FIRE CHIEF GERALD REARDON: Is this between Haskell and Rindge?

ERIC KING: Yeah, exactly. It's right across from Pemberton Farms.

FIRE CHIEF GERALD REARDON: Next to
the --

ERIC KING: Antique furniture shop there
on the corner? Yep.

CHAIR ANDREA JACKSON: Do you also have a
high turnover in your building?

ERIC KING: Out of the 14 students, our
longest stay is currently on her 17 -- 17th
month. I would say the average is stay is two to
three months. They go in one month-session
increments. I would say the average is two to
three months. So, there's a fair amount of
turnover.

I would say at the end of the month, five
to six out of the 14 residents will change.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: So
similar to the last question, how often -- what
is the amount of time you actually are on the

premises?

ERIC KING: Quite a bit of time.

I am documented for 58 hours a week, but it's, in fact, more than that, I would say.

Our on-call situation, I have to remain within 15 minutes of the building in the evenings, and I would say I would spend close to 60, 65 hours a week in the building, whether it's ordering meals, attending to student needs or other property management issues.

FIRE CHIEF GERALD REARDON: Same question I gave to Nathan: In terms of the welcome package and exit drill and posting things, that's all in order.

ERIC KING: Yeah, the school does a good job of providing them with initial information that they need when they arrive. I also -- I take them to school on the first day. I show them how to use the train. I explain to them the

MBTA system, as best I can. We give them fire safety packets, subway maps. And every -- all the information that we can manage to get them, and I also hold office hours so that any information they have not gotten, if they have questions, they can come to me.

FIRE CHIEF GERALD REARDON: All set.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

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 change of resident manager to Eric King for Riverside Hall LTD doing business as New England School of English-Riverside Limited at 2222 Mass Ave.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

Good luck.

CHAIR ANDREA JACKSON: Are all set.

ERIC KING: Thank you for your time.

APPLICATION: BOWERY CAMBRIDGE, LLC
D/B/A THE SINCLAIR

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Bowery Cambridge, LLC, doing
business as The Sinclair, Joshua Bhatti, manager,
holder of an all alcoholic beverages restaurant
license at 50 Church Street has applied for an
alteration of premise to change the footprint of
an existing point of service. Applicant is also
applying to amend the ending hour of their live
entertainment license from 12:00 a.m. to 1:00

a.m. Tuesday and Wednesday, and from 12:30 a.m. to 1:30 a.m. Thursday through Saturday.

CHAIR ANDREA JACKSON: Good evening.

ATTY JAMES RAFFERTY: Good evening, Madam Chair, Members of the Commission. For the record, James Rafferty appearing on behalf the licensee, Bowery Cambridge, LLC. Seated to my right is Joshua Bhatti, B-H-A-T-T-I. Mr. Bhatti is the manager of record.

As noted by Ms. Lint, there are two issues before the Commission by the applicant, one involves an alteration of the premises.

When the establishment -- I'm sure the Commission will probably notice the establishment is located at 50 Church Street. It's primarily known as a restaurant and live music venue.

The restaurant is a two-story space in the front of the building. At the time of the initial approval, there was a bar approved on the

second floor, and the application to alter the premises allows for a modification in the geometry of that bar or footprint of that bar. It's roughly in the same location. It has only been used as a service bar, and the proposal extends the bar slightly and adds eight barstools around the bar.

And that's -- as I said, that's a -- that's the change of premises description.

And the second portion of the application involves the entertainment license.

At the time the license was approved in January of 2012, the entertainment license were approved at -- from midnight Sunday through Wednesday and until 12:30 Thursday through Saturday, and the night before a legal holiday.

There was also a provision that up to 25 times per calendar year, with prior notice to the License Commission, the entertainment could

extend until 1:00 a.m.

So the licensee has been in operation now for about 18 months and has worked -- I'm sorry?

JOSHUA BHATTI: No. Two-and-a-half years.

ATTY JAMES RAFFERTY: Two-and-a-half years. Time flies. Two-and-a-half years.

The licensee has worked closely with Chief Boyer and the Licensing authorities and has had no incidents with regard to the conduct of the operation of the entertainment license. So we felt it was an opportune time to request the Commission to consider an amendment, which essentially amounts to an amendment on the restriction on the 1:00 a.m. only 25 times a year.

Mr. Bhatti informs me that it's unlikely to represent a significant change in the way they operate the restaurant, or the music venue, or in

terms of the hours that the typical performance runs. But it does allow them the flexibility to do this without having to seek, or I should say, inform the Commission every time they exercise this 25-time requirement.

So, currently they have to monitor the number of times. And, candidly, Mr. Bhatti informs me he doesn't think they've exceeded or doesn't have a huge demand to exceed the 25, but it's more a, as I said, flexibility to allow them to do it.

So, the amended -- the proposed amended hours seek to essentially allow the later hours to go from -- till 1:30 Thursday through Saturday, and 1:00 a.m. on the first part of the week. It's a 2:00 a.m. alcohol license. But the entertainment licenses don't run concurrent with the alcohol license.

CHAIR ANDREA JACKSON: In terms of the

alteration of premise, did you say that you were adding seats at the bar? I thought the seats were already there.

ATTY JAMES RAFFERTY: Well, the seats were there in the plan that was approved. But in the way the bar was built out and utilized, there weren't seats there.

CHAIR ANDREA JACKSON: Okay.

ATTY JAMES RAFFERTY: So the alteration does include -- he actually has a Xerox of what was approved and what is proposed, and you can see that in the approved plan, which is the pasted-on version on the left. You can see there are seats there, but, functionally, it turned out -- exactly. And functionally it turned out to be only a service bar. And when they were doing some cosmetic renovations to the interior space, the decision was made to extend the bar in the fashion you see on the left.

CHAIR ANDREA JACKSON: SO what was approved before? Was it just the five seats? That's what I'm showing on the --

ATTY JAMES RAFFERTY: Yes.

CHAIR ANDREA JACKSON: Okay.

ATTY JAMES RAFFERTY: Yes. What's on the on the image to the left that the Commission is looking at is cut and pasted from the approved plan. But, candidly, what was discovered, frankly, was that operationally, those seats were not placed there. The bar functioned as a service bar, so...

JOSHUA BHATTI: The seats to the left.

ATTY JAMES RAFFERTY: We're within the approved seats already. It doesn't change the appearance of the seating.

CHAIR ANDREA JACKSON: Impact of the seating?

ATTY JAMES RAFFERTY: Right.

CHAIR ANDREA JACKSON: Okay.

POLICE COMMISSIONER ROBERT HAAS: Remind me of the full capacity of The Sinclair?

ATTY JAMES RAFFERTY: It's been --

JOSHUA BHATTI: 700.

POLICE COMMISSIONER ROBERT HAAS: That's what I thought.

ATTY JAMES RAFFERTY: Right. It's 175 seats, 52 on an outdoor patio, standing room for 525.

POLICE COMMISSIONER ROBERT HAAS: So one of the concerns that we have had early on, particularly with quite a few large venues given the proximity of the dimensions of Church Street, and we early on had to manage the ending of entertainment so that we didn't have mass crowds pouring onto Church Street at the same time. We're just kinda figuring out now with the change of hours, what does that look like with respect

to the other venues on that are on that street and, again, making sure that we can avoid having large numbers of people all coming out in the street at the same time, which has caused some problems in the past, so we try to avoid that.

The times you've run this late at -- during those 25 times, theoretically, what does that look like in terms of people coming out in the street as compared to the other venues on that street respectively releasing people at the same time?

JOSHUA BHATTI: I think with regards to even -- the busiest other operator on the street having been there is Fire & Ice on the weekends and they're a 2:00 a.m. license.

So even -- that was kind've part of the thinking of going to 1:30 was we'll still be letting out half an hour before.

POLICE COMMISSIONER ROBERT HAAS: But

even with Fire & Ice, if I recall correctly, they have three separate entertainment venues within the premise, either three or two, and what we had to do is stagger their times of release so we could avoid -- I think they had upwards of 350 people that were coming out on the street at the same time. Now you've got a venue of roughly 720. I'm just trying to figure out how do you manage or how, you know, cooperatively you manage to make sure we don't have a situation where we have an inordinate number of people on the street and there's a lot of congestion and people are just standing around too long or causing a commotion because the size of the crowd.

JOSHUA BHATTI: Yep. I mean, we found that on the block, operationally speaking, the busiest time there is probably 2:00 to 2:30 a.m. when -- mainly when Fire & Ice is letting out for concerts. I mean, even Sunday through Thursday,

quite frankly, the most of the bands want to be wrapped up a little earlier.

I think the later hours are something we'll probably use around that same 25 times a year. It was just the notification.

I think one of the times that it came up when we were talking about the lateness of it was when power went out on the block, and, all of a sudden, we're there with a sold-out show, and we're up against a midnight curfew with a show, it's how do you maintain -- can you still do the show without giving that two weeks' notice to the License Commission on those exemptions.

So I think, operationally speaking, we see ourselves ending, you know, at 1:30 at the latest and Fire & Ice is still, you know, until 2:00 a.m., so.

ATTY JAMES RAFFERTY: So the Sunday/Monday hours are unchanged.

The Tuesday/Wednesday hours, the request is to extend them by 30 minutes.

And then the Thursday through Saturday hours also represent a 30-minute extension.

POLICE COMMISSIONER ROBERT HAAS: No, I get that. I'm just trying to figure out, again, do we start to collide with one another again and have a problem.

ATTY JAMES RAFFERTY: Understood.

FIRE CHIEF GERALD REARDON: Is it presently 12:00 a.m. on Tuesday/Wednesday or 12:30?

ATTY JAMES RAFFERTY: No. Currently it's -- the current license is Sunday through Wednesday is 12:00 a.m., and it's 12:30 Thursday through Saturday, but 25 times a year, it can go to 1:00 a.m.

FIRE CHIEF GERALD REARDON: All right.
Okay.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: All set.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No
other questions.

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

Seeing none, I make a motion that we
approve the -- I think I'll do it in two separate
motions.

The first motion is: I make a motion
that we approve the alteration of premise to
change the footprint of an existing point of
service bar.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: And I would like to make a motion that we approve the ending hour of their live entertainment license, as requested, 12:00 a.m. to 1:00 a.m. Tuesday and Wednesday, and then from 12:30 to 1:30, Thursday through Saturday, with a review in six months.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

ATTY JAMES RAFFERTY: Thank you very much.

JOSHUA BHATTI: Thank you.

CHAIR ANDREA JACKSON: Thank you.

APPLICATION: BOSTON BBQ COMPANY, LLC
D/B/A SMOKE SHOP

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Boston BBQ Company, LLC, doing business as Smoke Shop. Andrew Husbands, manager, has applied for a new all alcoholic beverages restaurant license at One Kendall Square, No. 100 with proposed hours of 11:00 a.m. to 1:00 a.m. seven days per week and a seating capacity of 149 inside and 40 seasonal patio seats on private property. Applicant is also applying for an entertainment license to include live music with amplification, radio, audio tape machine, CD, computerized digital media that can be played below, at, or above conversation level, and seven TVs.

ATTY JAMES RAFFERTY: Madam Chair, unless my client is outside, may I just take a quick peek? We may have to request a second call. Brian, we're up. They are outside. They're

coming in.

(Pause.)

Good evening. For the record, James Rafferty again on behalf of the applicant.

Seated to my right is Andrew --

ANDREW HUSBANDS: Husbands.

ATTY JAMES RAFFERTY: And give the spelling of your last name.

ANDREW HUSBANDS: H-U-S-B-A-N-D-S.

ATTY JAMES RAFFERTY: And to Mr. Husband's right is Brian Lesser.

Mr. Lesser, spell your last name.

BRIAN LESSER: L-E-S-S-E-R.

ATTY JAMES RAFFERTY: Members of the Commission, this is an application requesting an alcoholic beverages license at a licensed location in the One Kendall Square complex, which I know the Commission is very familiar with.

One Kendall Square was created with its

own cap district at the time the complex was created. There are several liquor licenses that have been approved at that location, and over the years various operators have conducted the business throughout the complex as continues to be the case.

This particular location is probably best known to the Commission as a Tommy Doyle in its most recent iteration. And that, I believe, license was turned in, in the fall of 2014. So this is essentially that space. It's adjoined by a few other spaces all fronting onto a courtyard at One Kendall Square.

Mr. Husbands is a well-known Boston restaurateur and operates a very successful restaurant known as 647.

Do I have that number right?

ANDREW HUSBANDS: You have the number right. Tremont 647.

ATTY JAMES RAFFERTY: Tremont 647 on Tremont Street.

And this particular venue he intends -- he has been operating that restaurant for 20 years to critical acclaim and success. And he's now partnered with Mr. Lesser, who I know is known to the Commission. Mr. Lesser has a level of expertise in restaurant operations in Boston and Cambridge. And this location has appealed to them for a barbecue-style cuisine.

Mr. Lesser is involved in a highly popular barbecue operation in the Fenway area known as Sweet Cheeks, which may be known to Members of the Commission.

But in this location, they intend to operate this barbecue-style restaurant. It does have a history as a licensed establishment. It has a heavy focus on a restaurant.

The kitchen, if you look at the floor

plan, represents a significant portion of the space. The space currently or historically had a patio adjoining it, and this space will continue to do that as well.

There is, as part of the application, an entertainment license request for live music, and depicted in a small area of the plan is a location where the operators would anticipate that on occasion a one- or two- or three-piece trio might play -- would you describe that as country music or...?

ANDREW HUSBANDS: I like the term honkey-tonk. Think Patsy Cline, Willy Nelson, the old country stuff.

ATTY JAMES RAFFERTY: That's the entertainment portion of it.

But most significantly the premises contain seating that's actually capacity below what Tommy Doyle's had been approved at and has

been used historically. So it will represent 180 seats, plus 40 additional seats on the seasonal patio. They're all set forth in both the plan and CV application. We have included a copy of the menu and Mr. Husbands or Mr. Lesser would be happy to describe at length what their expectations are.

They're eager to become contributing members to One Kendall. As I'm sure you're well aware, it's proven to be a popular dining destination. Their abutters here or their neighbors would include the Blue Room, West Bridge, recently opened State Park, Flat Top Johnny's, and these establishments have served the area regionally/locally.

There's an active movie theater, which drives customers to the location. So, it really has a long history of serving the public. The public need has been established there.

And then to the construct established by the Licensing Commission when the complex was developed, this falls within the parameters of the approved licenses for that location. These licenses get surrendered upon completion or transferred. So, in this case, it doesn't represent the sale of the license, that's why we're applying, since one of the licenses -- the license that previously was located at this premises has been surrendered.

FIRE CHIEF GERALD REARDON: What kind of work are we looking to do prior to opening in terms of renovations?

BRIAN LESSER: I'm sure I can take that.

Tommy Doyle's space had been in operation for quite some time. So we're going to do upgrades. The landlord has also been actively doing construction upgrades to the building. I'm sure that you're aware of that. Then we'll be

doing the upgrades as well. Everything from, I would imagine, new electrical all the way up to fire safety to the build-out of a new restaurant.

ATTY JAMES RAFFERTY: Are you building a new kitchen?

BRIAN LESSER: We are.

ATTY JAMES RAFFERTY: Just elaborate a little bit.

BRIAN LESSER: We're building a new kitchen as well. So, we'll have state-of-the-art equipment that will be part of it, as well as a delineation of a better floor plan than what previously existed there. I think it was a little bit too disconnected, if you remember correctly.

FIRE CHIEF GERALD REARDON: So they have an existing hood system, you're going to bring that up to the present?

BRIAN LESSER: They do. They actually

have two exhaust runs in that space from what I'm familiar with. And there will be full MEP drawings and all those items will be addressed as well.

FIRE CHIEF GERALD REARDON: Are you planning on using both gas or wood-fired and charcoal or -- in your cooking.

ANDREW HUSBANDS: Yes. Most of it's gas, electrical. But the smokers -- we'll have smokers that are gas and fire -- I'm sorry, wood.

FIRE CHIEF GERALD REARDON: It's fortunate that you have two, because they can't combine them anymore.

BRIAN LESSER: Absolutely. We understand. Solid fuel and gas.

FIRE CHIEF GERALD REARDON: Okay.

Thank you.

ATTY JAMES RAFFERTY: Madam Chair, I should note that if you look at the floor plan,

that the entrance to the establishment is being relocated slightly, and there is an area proposed that will actually accommodate takeout, which abuts the kitchen. It reminds me of when Legal Sea Foods was approved at Charles Square and for years in Kendall Square, you could go in and get a takeout -- pick up a takeout order here and not have to enter into the dining room.

So it's not part of the licensed premises in the sense that no alcohol will be served there, but it does appear on the full thing and I wanted to draw it to the Board's attention.

The principal entry into the restaurant and dining room is -- adjoins that, so this has a separate entry. I believe today that might be the current entry into this space.

ANDREW HUSBANDS: It's actually both. Today it's still both. That was the bar and that was the restaurant.

ATTY JAMES RAFFERTY: So the point of access closest to Hampshire Street, which previously was an access into a bar area, will now just open into a small, slightly larger than a vestibule, where people who have either phoned in an order and they wait to pick up their orders.

There's that component to the use as well.

As you know, there's many office workers in the complex and in close proximity. And particularly at lunchtime, there are a number of restaurants that serve people or diners that wish to take their meals back to their offices with them, and this would provide an efficient way to do that and not conflict with the ongoing dining room operations.

CHAIR ANDREA JACKSON: When are you looking as an open date?

BRIAN LESSER: Tentatively we'd like to start construction, I would say, sometime in August. So prior to the end of the year. Be open in December.

POLICE COMMISSIONER ROBERT HAAS: You won't start your patio service until next season then?

BRIAN LESSER: I think we're going to miss that unless we have an unusually warm...

ATTY JAMES RAFFERTY: By the way, it's all private patio, too.

POLICE COMMISSIONER ROBERT HAAS: Uh-huh, yeah.

ATTY JAMES RAFFERTY: So there's an area now that is patio. And just to be clear, there's an area now, if you recall the place or even if you go by it now, there's an area that was an outdoor patio that has a canvas awning over it. That area will actually become enclosed and be

part of the year-round premises, and then the patio that's proposed here is forward of that by about 20 or 30 feet.

POLICE COMMISSIONER ROBERT HAAS: That doesn't interfere with the other eating area?

ATTY JAMES RAFFERTY: No. This has been worked out with the landlord with an understanding of access and rights in the patio. I think it's an area that's historically been used by Tommy Doyle's. Their outdoor patio was a little bit spilled into this area outside of the awning as well.

POLICE COMMISSIONER ROBERT HAAS: Okay.

ATTY JAMES RAFFERTY: But this area wouldn't have a covered awning on it. It will be open to the sky.

POLICE COMMISSIONER ROBERT HAAS: And that covered area will be operational all year-round?

ATTY JAMES RAFFERTY: Yeah. That will be part of the --

POLICE COMMISSIONER ROBERT HAAS: Is that a hard structure?

ATTY JAMES RAFFERTY: It will be, yeah. Right. It's essentially an addition onto the building.

POLICE COMMISSIONER ROBERT HAAS: Okay. Okay.

ATTY JAMES RAFFERTY: We will need to get building permit approval, and it will represent an expansion of the footprint of the space beyond -- by converting what was a seasonal patio into an enclosure.

CHAIR ANDREA JACKSON: And the seating capacity for inside is 149?

ATTY JAMES RAFFERTY: Total inside is 180. 149 indoor seats and 31 standing and 40 seasonal patio seats.

CHAIR ANDREA JACKSON: That's not what is on this.

Counsel, I'm sorry. Again, 180 inside?

ATTY JAMES RAFFERTY: 180 inside and 40 outside. We went over these today, Madam Chair, so I would give the correct answer.

Are we looking for the CV application because the floor plan has the seating on it?

EXECUTIVE DIRECTOR ELIZABETH LINT: I have occupancy 220. Seating capacity 189.

ATTY JAMES RAFFERTY: That's correct.

EXECUTIVE DIRECTOR ELIZABETH LINT: That doesn't --

CHAIR ANDREA JACKSON: You have -- I'm sorry.

EXECUTIVE DIRECTOR ELIZABETH LINT: 220 total occupancy with seating of 189.

FIRE CHIEF GERALD REARDON: Is that 149 and --

EXECUTIVE DIRECTOR ELIZABETH LINT: Total interior 149, patio 40.

ATTY JAMES RAFFERTY: Are you reading off the CV application?

The CV application we have total occupancy 220, proposed seating 189. That's a combination of booths and tables. 129 at tables, 20 at booths and outside seating at 40.

FIRE CHIEF GERALD REARDON: So if it's 189 and 40, you're nine over.

EXECUTIVE DIRECTOR ELIZABETH LINT: And the signoff from ISD is for 189.

ATTY JAMES RAFFERTY: Well, ISD only addresses --

EXECUTIVE DIRECTOR ELIZABETH LINT: The inside.

ATTY JAMES RAFFERTY: -- the inside.

And the standing numbers don't -- the signoff -- the zoning signoff at that point isn't

building code related, it's only zoning.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Right.

ATTY JAMES RAFFERTY: And it has to do with the parking calculation.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

ATTY JAMES RAFFERTY: And the parking requirements that are associated with seats and not with standing, so the zoning signoff reflected there is on the number of seats.

EXECUTIVE DIRECTOR ELIZABETH LINT: For some reason the CV --

CHAIR ANDREA JACKSON: How was it advertised?

The agenda says 149 inside and 40 seasonal patio.

ATTY JAMES RAFFERTY: Right. Those are seats. I'm looking at the legal notice. It's 149 inside and 40 seasonal patio. A seating

capacity of 149 inside and 40 seasonal patio
seats outside.

POLICE COMMISSIONER ROBERT HAAS: It's
189 total, right?

EXECUTIVE DIRECTOR ELIZABETH LINT: 29.

ATTY JAMES RAFFERTY: 29.

POLICE COMMISSIONER ROBERT HAAS: Yeah,
total, outside and interior.

ATTY JAMES RAFFERTY: Correct.

POLICE COMMISSIONER ROBERT HAAS: Okay.

ATTY JAMES RAFFERTY: Plus 30 standing,
which gets us to 220 -- 219. 31 standing.

POLICE COMMISSIONER ROBERT HAAS: It's
149 indoor seating?

ATTY JAMES RAFFERTY: Yes.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No
other questions.

CHAIR ANDREA JACKSON: Any other

questions?

FIRE CHIEF GERALD REARDON: All set.

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 all alcohol license for Boston BBQ doing business as Smoke Shop at One Kendall Square.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Excuse me, Madam Chair, just for the record, we have two letters in support, one from the East Cambridge Business Association from President Pat McGee who says they're in support for the application, that it will occupy a bigger restaurant space for food, pedestrians and traffic included. And the streets scape will element vacancy. They will continue to add to the excellent dining and destination that the

neighborhood has to offer, and they welcome the new concept to the neighborhood.

And Councillor Toomey also writes to lend support to the application. A new restaurant at this location will help maintain the vibrancy at One Kendall that has a responsible operator with experience in Cambridge restaurants.

CHAIR ANDREA JACKSON: Thank you.

Again, I'll make the motion that we approve the application for the all alcohol license for Boston BBQ doing business as Smoke Shop located at One Kendall Square with the hours of 11:00 a.m. to 1:00 a.m. seven days per week, seating capacity of 149 inside and 40 seasonal patio seats on private property, along with entertainment license to include live music with amplification radio, audio tape machine, CD, computerized digital media that can be played below at or above conversation level and seven

TVs, also with the requirement of attending 21
Proof training.

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: Aye.

FIRE CHIEF GERALD REARDON: Aye.

ATTY JAMES RAFFERTY: Thank you very
much.

CHAIR ANDREA JACKSON: Good luck.

APPLICATION: CLASSIC RESTAURANT CONCEPTS, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Classic Restaurant Concepts, LLC,
William Goodwin, manager, holder of a wine and
malt beverages restaurant license at 8 Holyoke
Street (pending ABCC approval) has applied for an
upgrade said license to all alcoholic beverages.
Applicant is also applying for a change of d/b/a

from Sandrine's to En Boca, transfer of stock,
and change of officers/directors/beneficial
interests.

CHAIR ANDREA JACKSON: Good evening.

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

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

CHAIR ANDREA JACKSON: Counsel?

ATTY ALEX MATTERA: Thank you, Madam
Commissioner. I'm actually not representing the
applicant. As the Commission may recall, it's an
unusual case from our perspective.

I represented the prior license holder at
the location in the Chapter 11 bankruptcy
proceeding. An element of the sale of that
party's interest in its business, including any
interest in the perspective license, was that the
buyer obtain an all alcoholic beverages license.

So I'm here really to speak in support because without obtaining the license this evening or CV, the sale won't be able to close, and the funds that would be available to pay creditors of the former license holder then would not be available.

So it's in the interest of those creditors and other parties in interest that the sale close, and for that to happen, the license must be obtained by the buyer.

We were here previously to obtain a transfer of the existing beer and wine license, that's been done. This is sort of the second step in that process to now upgrade it to an all alcohol, which I understand is what the pending application is.

I appreciate the indulgence of the Commission.

POLICE COMMISSIONER ROBERT HAAS: I just

want to make sure that the sale does not place any value on the notion that if an all alcoholic license is granted that, that now increases the value of the property. Clearly, I think those things have to be separate.

So whatever the sale of the property was, really was the notion of the restaurant and the fact that it had a beer and wine license only, right?

ATTY ALEX MATTERA: That's exactly right. It's only -- the only reason the license is important, of course, is because we'll need one to operate here. But we were unable to transfer one because of the nature of the license.

POLICE COMMISSIONER ROBERT HAAS: But you're not leveraging the fact approval of all alcoholic license can actually elevate the price?

ATTY ALEX MATTERA: Not in the least, but it will allow it to go forward. In fact, we

reduced the price because of the nature of the license.

CHAIR ANDREA JACKSON: So you're here this evening to upgrade the wine and malt and also for the change of name, is that correct?

BILL GOODWIN: Correct. And Attorney McGrail would extend his apologies, he could not make it.

POLICE COMMISSIONER ROBERT HAAS: The motion of an upgrade is moving from a value wine -- beer and wine license to a nontransferable, no value all alcoholic license.

BILL GOODWIN: I understand.

POLICE COMMISSIONER ROBERT HAAS: Okay.

CHAIR ANDREA JACKSON: Do you have any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: How much renovation are you going to do with regard to this? I think we went over this. Is this cosmetic?

BILL GOODWIN: Currently, yes. New carpet, flooring, painting walls, moving the existing furniture, replacing it with more modern furniture that fits our theme. It's a small plate Euro -- European theme.

FIRE CHIEF GERALD REARDON: You have a full kitchen at that location?

BILL GOODWIN: Currently there's a full kitchen in the basement and another kitchen on the first floor. They're currently up to code, but any new equipment that comes in, any Ansul system that needs to be moved, et cetera, we'll be in full compliance.

FIRE CHIEF GERALD REARDON: You plan on keeping both kitchens?

BILL GOODWIN: Oh, yes.

FIRE CHIEF GERALD REARDON: All set.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

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 change of d/b/a from Sandrine's to En Boca, transfer stock, change of officers, directors, beneficial interests, and also that we approve the upgrade from the for value wine and malt to a no value nontransferable all alcoholic beverage license.

EXECUTIVE DIRECTOR ELIZABETH LINT: Madam Chair, we're missing the vote of corporate board.

BILL GOODWIN: I'm sorry, what was that?

EXECUTIVE DIRECTOR ELIZABETH LINT: We

need the vote of the corporate board to allow the upgrade.

BILL GOODWIN: Okay. Let me see -- I believe I passed it in, though. I will see if I have a copy right there.

CHAIR ANDREA JACKSON: If you want to see if it's in there.

BILL GOODWIN: The file's got very large over the last --

CHAIR ANDREA JACKSON: So I can keep the motion and just say contingent upon receipt of the vote of the corporate board.

EXECUTIVE DIRECTOR ELIZABETH LINT: And there was just a minor change in the gifting of shares. The numbers are not --

CHAIR ANDREA JACKSON: Is that 8,000 to 7?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

BILL GOODWIN: Correct.

EXECUTIVE DIRECTOR ELIZABETH LINT: 7 to
8.

BILL GOODWIN: 8 to 7.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yeah,
and then the increase.

BILL GOODWIN: Would you like me to
explain that or you have it there, right?

EXECUTIVE DIRECTOR ELIZABETH LINT: We
need the forms corrected.

BILL GOODWIN: Okay.

CHAIR ANDREA JACKSON: So I'll amend my
motion to also include contingent upon the forms
being corrected.

BILL GOODWIN: Okay. Thank you.

CHAIR ANDREA JACKSON: Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

APPLICATION: CENTRAL SQUARE RESTAURANT
PARTNERS, LLC, D/B/A THE ASGARD IRISH PUB
AND RESTAURANT

EXECUTIVE DIRECTOR ELIZABETH LINT:

Central Square Restaurant Partners, LLC, doing
business as the Asgard Irish Pub and Restaurant,
Andrew Martin, manager, holder of an all
alcoholic beverages restaurant license at 350
Massachusetts Avenue has applied for a change of
corporate name of Classic Restaurant Concepts,
LLC, change of manager, new stockholder and
transfer of stock.

CHAIR ANDREA JACKSON: Good evening.

DEREK SCHNEIDER: Good evening.

CHAIR ANDREA JACKSON: Please state your
names for the record.

DEREK SCHNEIDER: S-C-H-N-E-I-D-E-R.

THE REPORTER: Did you say Derek?

DEREK SCHNEIDER: Derek.

THE REPORTER: Spell the first name,
please.

DEREK SCHNEIDER: D-E-R-E-K.

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

CHAIR ANDREA JACKSON: And you're here
this evening now for a change of corporate name
to Classic Restaurant Concepts, LLC, change of
manager, new stockholder and transfer of stock.
Tell us about the changes, please.

BILL GOODWIN: Well, first Classic
Restaurant Concepts was the first company we
formed, and our second company was Central Square
Restaurant Partners. We expect to absorb Central
Square Restaurant Partners into Classic, to
consolidate the companies. Also, the shares in
the company were 10,000 shares in the company and
I am being gifted 1,000 shares -- that's ten
percent of the company -- from one of the

partners. He's going from 8,000 to 7,000 shares
Burton Sack.

THE REPORTER: Bur...?

BILL GOODWIN: Burton Sack, B-U-R-T-O-N
S-A-C-K.

The other 2000 shares are remaining with
Peter Sarmanian, S-A-R-M-A-N-I-A-N.

And then lastly, Andrew Martin has been
our general manager for several years, and he has
left the company, and Derek Schneider has moved
as general manager from Kinsale Restaurant in
Boston over about six weeks ago, which we applied
for a change in manager.

Derek has been a general manager with us
for five and a half years, and in our company for
six and a half years. Derek is a food handler,
ServeSafe, allergin trained, choke saver, and
he's signed up for this Friday's 21 Plus class,
manager class.

CHAIR ANDREA JACKSON: 21 Proof?

BILL GOODWIN: 21 Proof. I'm sorry.

CHAIR ANDREA JACKSON: That's okay.

FIRE CHIEF GERALD REARDON: Have you ever had a liquor license in your name?

DEREK SCHNEIDER: Yes, the Kinsale in Government Center.

FIRE CHIEF GERALD REARDON: Any issues that you had there?

DEREK SCHNEIDER: No, sir.

FIRE CHIEF GERALD REARDON: How many years were you doing that?

DEREK SCHNEIDER: The last four years.

FIRE CHIEF GERALD REARDON: Last four years.

Is this just a name change, or is it a whole concept of the restaurant change?

BILL GOODWIN: Just a name change where we're consolidating the companies and my stock

portion played into it.

FIRE CHIEF GERALD REARDON: So the restaurant will still be known as The Asgard?

BILL GOODWIN: Correct.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: All set. No questions.

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 change of the corporate name to Classic Restaurant Concepts, LLC, change of manager, new stockholder and transfer of stock with the proviso that you mentioned that you will attend 21 Proof training.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

FIRE CHIEF GERALD REARDON: Aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

EXECUTIVE DIRECTOR ELIZABETH LINT: Just a minor paperwork matter. There's a fee owed. There was a balance of \$100, the certificate of good standing, and then an affidavit of purchase and sale for the stock.

BILL GOODWIN: It's a gift, it's not a purchase.

EXECUTIVE DIRECTOR ELIZABETH LINT: Then an affidavit.

BILL GOODWIN: Yeah, okay.

CHAIR ANDREA JACKSON: You're all set.

Thank you.

APPLICATION: PORT LANDING TENANT, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Port Landing Tenant, LLC has applied for a garage license at 131 Harvard Street for 16 parking spaces and 160 gallons of gasoline in the tanks of autos only.

ATTY SEAN HOPE: Madam Chair and Members of the Commission, for the record, Attorney Sean Hope, Hope Legal Law Offices in Cambridge.

We're here tonight on behalf of Port Landing, LLC. I am one of the co-developers. This is a hundred percent affordable housing development. It's currently a vacant parcel at the corner Harvard and Moore Street.

This is a process that has taken approximately four years, zoning, financing, and we're actually planning to begin construction in mid-July. We have obtained our building permit.

The application states we have an underground garage with 16 parking spaces, and per the application, we met with the Cambridge

Fire Department, they stamped the plans -- which are actually not in the file. I have them here -- as part of the application.

EXECUTIVE DIRECTOR ELIZABETH LINT: I have them.

ATTY SEAN HOPE: I'm not sure I submitted the stamped ones.

CHAIR ANDREA JACKSON: Counsel, you said below ground?

ATTY SEAN HOPE: Below grade, that's right with the entrance on Moore Street.

THE REPORTER: Moore?

ATTY SEAN HOPE: Yes, M-O-O-R-E.

THE REPORTER: Thank you.

ATTY SEAN HOPE: This is sited on a corner lot, and we have gotten a curb cut, all our approvals, and so now we're in the final stages.

In my experience, normally that you get

this garage license closer to your certificate of occupancy at the end of construction. Because of the financing requirements, this is HUD money and state and also local Cambridge Housing of Affordable Trust money, they wanted to get as many of the approvals in hand because the city is also financing this project as well.

So we applied for it after the building permit but before construction, and there wasn't any reason why we felt we couldn't do that.

POLICE COMMISSIONER ROBERT HAAS: So it's a housing project?

ATTY SEAN HOPE: Affordable housing project.

FIRE CHIEF GERALD REARDON: Is this a single grade below ground?

ATTY SEAN HOPE: One level below grade.

FIRE CHIEF GERALD REARDON: Do they mention anything to you about a radio 5X

amplifier to meet the requirement?

ATTY SEAN HOPE: Yeah, during the building permit process they said we didn't have the radio built in. So we were hoping we don't need one, but we actually ran the conduit just in case we had to go and then it's easier to do once it's constructed.

FIRE CHIEF GERALD REARDON: How many stories is it? Three stories?

ATTY SEAN HOPE: Three stories.

FIRE CHIEF GERALD REARDON: So you're not going to require a generator anyway?

ATTY SEAN HOPE: NSTAR is. We are actually positioning a generator on Harvard Street there. We -- there's already an existing print shop building that was built four or five years ago. We hope they'll tap into the generators that they had for that building, but that's stationed further down Harvard Street

where they're having to put another a new one in and I think there was questions whether there was a glass wall and different things. So we've worked that out. I know we're going to have to have a generator.

FIRE CHIEF GERALD REARDON: Okay. You're probably just going to have to come back to amend this. Chances are you're going to have to have diesel fuel for the generator.

ATTY SEAN HOPE: Okay.

FIRE CHIEF GERALD REARDON: They won't approve natural gas. If it's required for an emergency generator, then it has to be diesel fuel.

ATTY SEAN HOPE: Okay.

POLICE COMMISSIONER ROBERT HAAS: Is it 16 housing units?

ATTY SEAN HOPE: 20 housing units.

FIRE CHIEF GERALD REARDON: 20 housing

units.

ATTY SEAN HOPE: We got a special permit to reduce the parking, not that it impacts the garage, but one of the benefits of this project is that it's going to be 70 percent local preference for Cambridge residents and employees and their families. And so, it was one of the reasons why we got a lot of positive neighborhood response on this.

CHAIR ANDREA JACKSON: Any issues?

EXECUTIVE DIRECTOR ELIZABETH LINT: The only issue would be that the approvals are only good for six months. So you would just have to keep in touch with me and, you know, submit a letter saying that this is the stages that we're at and can we extend the approvals.

ATTY SEAN HOPE: Okay.

FIRE CHIEF GERALD REARDON: Counsel, when do you plan on starting, any idea?

ATTY SEAN HOPE: Our contract with the contractor is good until July 23rd, so we'll be starting before then.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Any other questions?

FIRE CHIEF GERALD REARDON: No further questions.

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 garage license at 131 Harvard Street for 16 parking spaces and 160 gallons of gasoline in the tanks of autos only.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

ATTY SEAN HOPE: Thank you.

CHAIR ANDREA JACKSON: Good luck.

APPLICATION: CAFE ARTSCIENCE, INC
D/B/A CAFE ARTSCIENCE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Cafe Artscience, Incorporated doing business as Cafe Artscience, Todd Maul, manager, holder of an all alcoholic beverages restaurant license at 650 East Kendall Street has applied to transfer said license to Cafe Artscience, LLC at 650 East Kendall Street.

So, this was a situation where it was heard in November of 2014, it was approved by this Board, the ABCC returned it to us and wanted it to proceed as a transfer. The information is

the same as it has been when it was originally submitted. There's been no changes. It's just really a formality.

CHAIR ANDREA JACKSON: Okay. Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

FIRE CHIEF GERALD REARDON: No questions.

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

Seeing none, I make a motion that we approve the transfer of the license to Cafe Artscience, LLC at 650 East Kendall Street.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

FIRE CHIEF GERALD REARDON: Aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Appeal.

CHAIR ANDREA JACKSON: Skip to the next one.

APPLICATION: RESTAURANT ASSOCIATES, LLC
D/B/A RESTAURANT ASSOCIATES at INFINITY

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Restaurant Associates, LLC, doing business as Restaurant Associates at Infinity, William Unterstein, manager, has applied for a common victualer license at 784 Memorial Drive. Said license, if granted, would allow food and nonalcoholic beverages to be sold, served and consumed on said premises with a seating capacity of 60 (sic-"89") and operating hours from 7:30 a.m. until 2:30 p.m. Monday through Friday.

I combined two.

HILARY NOEL: There's two locations.

It's two buildings next to each other.

EXECUTIVE DIRECTOR ELIZABETH LINT: I
should call them both.

CHAIR ANDREA JACKSON: So do you want to
do 784 -- let's call both, but let's start with
the 784 location first.

APPLICATION: RESTAURANT ASSOCIATES, LLC
D/B/A RESTAURANT ASSOCIATES-JAZZ CAFE

EXECUTIVE DIRECTOR ELIZABETH LINT:
Application: Restaurant Associates, LLC doing
business as Restaurant Associates Jazz Cafe,
William Unterstein, manager, has applied for a
common victualer license at 780 Memorial Drive.
Said license, if granted would allow food and
nonalcoholic beverages to be sold, served and
consumed on said premises with a seating capacity
of 60 and operating hours from 7:30 a.m. until
2:30 p.m. Monday through Friday.

CHAIR ANDREA JACKSON: Good evening.

HILARY NOEL: Hi.

ASHLEY CARPENTER: Hi.

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

HILARY NOEL: Hilary Noel, H-I-L-A-R-Y, N-O-E-L.

ASHLEY CARPENTER: Ashley Carpenter, ASHLEY, C-A-R-P-E-N-T-E-R.

CHAIR ANDREA JACKSON: And your relationship to the applicant?

HILARY NOEL: I'm the VP of the operations for Restaurants Associates of Boston.

ASHLEY CARPENTER: Cafe manager.

CHAIR ANDREA JACKSON: So let's start first with the location at 784. You need to tell us what the plan is for that location.

HILARY NOEL: So that is going to be a

small cafe for the Infinity Associates with a salad bar, a deli-fresh grill and global station. That will be open from 7:30 in the morning until 2:30 in the afternoon.

CHAIR ANDREA JACKSON: This is just for employees only?

HILARY NOEL: It's for employees and their guests only.

CHAIR ANDREA JACKSON: So no one walking off the street?

HILARY NOEL: You have to have an ID to get into the building.

CHAIR ANDREA JACKSON: Full kitchen at that location?

HILARY NOEL: Yes.

CHAIR ANDREA JACKSON: How does that concept differ from the other location at 780?

HILARY NOEL: 780 is like a self-service little market with grab-and-go items, like salads

and sandwiches and bottled beverages and like snack kinds of things. And that food will be coming from 784. There's no kitchen there.

FIRE CHIEF GERALD REARDON: This is a new build-out, this, location right, the kitchen and everything else.

HILARY NOEL: 784, yeah. It's on Memorial Drive.

FIRE CHIEF GERALD REARDON: Did we get to your inspections at 784?

HILARY NOEL: Yes. I think it was on the 8th.

CHAIR ANDREA JACKSON: Again, just for associates only and guests?

HILARY NOEL: Yes. You have to have an ID to get in.

CHAIR ANDREA JACKSON: Same hours, 7:30 to 2:30, Monday through Friday?

HILARY NOEL: Yes.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No further questions.

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 CV license at 784 Memorial Drive for Restaurant Associates, LLC doing business as Restaurant Associates at Infinity with a seating capacity of 89, operating hours from 7:30 a.m. to 2:30 p.m., Monday through Friday.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: I make a motion that we approve the CV license for 780 Memorial Drive for Restaurant Associates, LLC, doing business as Restaurant Associates Jazz Cafe, for a seating capacity of 60, operating hours from 7:30 until 2:30, Monday through Friday.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You're all set.

HILARY NOEL: Thank you.

ASHLEY CARPENTER: Thank you.

APPLICATION: TIANEARN CORPORATION
D/B/A MIX IT

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Tianearn Corporation, doing business as Mix It, Nuanchan Jitjaruek, manager, holder of a wine and malt beverages restaurant license at 1678 Mass Ave has applied for alteration of premises to include a seasonal outdoor patio on public sidewalk.

CHAIR ANDREA JACKSON: Good evening.

ATTY JAMES RAFFERTY: Good evening, Madam Chair and Members of the Commission. Again, James Rafferty on behalf of the applicant seated to my right is --

NUANCHAN JITJARUEK: Nuanchan Jitjaruek.

ATTY JAMES RAFFERTY: They want you to give your name and spelling.

NUANCHAN JITJARUEK: N-U-A-N-C-H-A-N, the last name is J-I-T-J-A-R-U-E-K.

ATTY JAMES RAFFERTY: We call her Nancy.

CHAIR ANDREA JACKSON: Okay. Good

evening, Nancy.

NUANCHAN JITJARUEK: Good evening.

ATTY JAMES RAFFERTY: After months of extensive renovation, Nancy has opened her establishment on Mass Ave in that block just beyond Shepard Street. She is operating a Thai noodle restaurant.

NUANCHAN JITJARUEK: Japanese.

ATTY JAMES RAFFERTY: Japanese.

NUANCHAN JITJARUEK: Sushi.

ATTY JAMES RAFFERTY: And as the Commission is familiar, many of the restaurants on that stretch of Mass Avenue provide outdoor seating, and it's created a bit of ambience and Ms. Jitjaruek is looking to join that collection of restaurants to have a few tables and chairs on the sidewalk.

There is one issue that I want to bring to the Board's attention, and that involves the

specific location. I suspect the Commission may be aware we have been working with DPW, and they have redone that stretch of the sidewalk in Mass Avenue and there's -- there seems to be some ongoing discussion as to whether these tables and chairs should be up against the building or out at the curb edge, as you know, we have in Central Square.

So in our discussions with DPW we were informed that whatever determination is made, it would be done on a macro level, so that like there would be a consistency in where these tables are located.

So our application seeks to put the tables along the building edge as is more the common practice. But we understand that this applicant and others may wind up with those moved, but it's not clear to me who ultimately will be making that determination.

But that is the one unresolved issue with the application. So it would appear that whatever the city policy is determined to be on the location, this licensee would obviously, you know, follow that policy in terms of table location.

CHAIR ANDREA JACKSON: Is this next to West Side?

NUANCHAN JITJARUEK: Yes.

ATTY JAMES RAFFERTY: Yes.

CHAIR ANDREA JACKSON: And their table location is against the building, is that correct?

NUANCHAN JITJARUEK: Yes.

ATTY JAMES RAFFERTY: I believe most of the -- I believe the Temple Bar is against the building.

FIRE CHIEF GERALD REARDON: All of them are.

ATTY JAMES RAFFERTY: I believe all of them are. So that -- we would just forewarn that there's discussion about relocating.

We elected in our application to be consistent with the other licensees, and we've been told that there's the possibility, I don't know how that would come about, that the policy may direct the chairs to the other edge of the sidewalk.

EXECUTIVE DIRECTOR ELIZABETH LINT: The application doesn't indicate if it's with alcohol or without alcohol.

ATTY JAMES RAFFERTY: The intention is with the beer and wine.

EXECUTIVE DIRECTOR ELIZABETH LINT: And we have not heard from Public Works at all. I have tried to contact them and I have had no response.

ATTY JAMES RAFFERTY: We have had

extensive engagement with Public Works. Mr. --
I'm blanking on his name.

EXECUTIVE DIRECTOR ELIZABETH LINT: Best.

ATTY JAMES RAFFERTY: Best.

EXECUTIVE DIRECTOR ELIZABETH LINT: He's
away.

CHAIR ANDREA JACKSON: How many tables
are you looking for? How many seats?

ATTY JAMES RAFFERTY: It's only a
handful.

NUANCHAN JITJARUEK: Two table and two
seats in each, so totally it's four seats.

ATTY JAMES RAFFERTY: Four -- four seats.

NUANCHAN JITJARUEK: Yeah.

CHAIR ANDREA JACKSON: And what would you
be putting up as a barrier, a stanchion?

ATTY JAMES RAFFERTY: I think we had
anticipated using the stanchion with some type of
a rope or link. That's what is used by, I think

-- Temple Bar has planters, but West Side appears to have a post with a rope around it.

CHAIR ANDREA JACKSON: Ms. Lint, I make a motion to approve it, but I guess my concern is I don't want it to get at stuck at DPW.

ATTY JAMES RAFFERTY: We, just to give some context, we delayed for several months the filing of the application. I didn't get in touch with Mr. Best because he continued to say that he thought this issue might need to be resolved.

But it seemed after awhile that it was -- that there was growing uncertainty as to whether or when that would happen. So I think we informed him that we were filing and it was our understanding that whatever policy outcome was that we would obviously follow suit.

So I'm not sure what the mechanism would be for premises that the License Commission has already approved up against the building going

out to the curb edge, and I don't think Mr. Best has, frankly, thought that through.

So he agreed that it made no -- it was illogical for one licensee to be at the curb edge. So we filed along the building edge and, obviously, it would be incumbent upon us to get that sign up because we can't complete this process without it, but I think as this was being resolved, we could at least get this approved pending DPW approval.

EXECUTIVE DIRECTOR ELIZABETH LINT: And City Council as well. But I'm just looking at the diagram -- at the architectural drawing and there's significantly more than five feet of passable space even with them up against the wall.

CHAIR ANDREA JACKSON: Wall --

ATTY JAMES RAFFERTY: I don't think it's impassable. It think, as it was explained to us,

it's just a thinking about where the pedestrian lane is versus where that lane is.

EXECUTIVE DIRECTOR ELIZABETH LINT: Yeah. But just looking at this, even taking away where tree wells might be, there's five feet, so there's in excess of five feet.

CHAIR ANDREA JACKSON: Okay.

ATTY JAMES RAFFERTY: Right.

EXECUTIVE DIRECTOR ELIZABETH LINT: ADA requirements are 48 inches.

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 alteration of premise to include seasonal outdoor patio on the public sidewalk for two tables, four seats for Mix It.

Is there a second?

FIRE CHIEF GERALD REARDON: Do we want to

include it's adjacent to the building.

CHAIR ANDREA JACKSON: Excuse me?

FIRE CHIEF GERALD REARDON: Do we want to include it's adjacent to the building?

CHAIR ANDREA JACKSON: Sure. Adjacent to the building with DPW and City Council approval.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: Aye.

EXECUTIVE DIRECTOR ELIZABETH LINT:

NUANCHAN JITJARUEK: Thank you so much.

CHAIR ANDREA JACKSON: Thank you.

APPEAL: GEORGE GEBARA

EXECUTIVE DIRECTOR ELIZABETH LINT:

Hackney Appeal: George Gebara, holder of a

Cambridge Hackney License No. 27149, due to the decision of the Executive Director upholding the fine issued by Hackney Officer Benny Szeto for failing to take a credit card.

CHAIR ANDREA JACKSON: Good evening.

GEORGE GEBARA: Good evening, ma'am.

CHAIR ANDREA JACKSON: Please state your name for the record, spelling your first name and last name, please?

BENNY SZETO: Benny Szeto, Cambridge Hackney Officer, B-E-N-N-Y S-Z-E-T-O.

GEORGE GEBARA: My name is George Gebara, G-E-O-R-G-E G-E-B-A-R-A, taxi driver, Checker Cab.

CHAIR ANDREA JACKSON: Mr. Szeto, can you tell us about the offense, please?

BENNY SZETO: On Monday, April 13, I got a complaint by email stating that on April 10th, around 4:30 p.m., the complainant got in a cab,

No. 77 at the Cambridge Marriott operated by George Gebara.

He got in the cab, he told the driver he was going to the Double Tree on Soldiers Field Road.

Then the driver asked him how he was gonna pay, and the complainant said, "By credit card."

And then the driver told the complainant that he left the credit card machine at home, and that he needed to take the next cab in line.

So when I started my investigation, I talked to Wally, the owner of Checker Cab, and asked about George Gebara's waybill for that day. He looked it up, and as far as he can tell, that it was all cash transaction, and it was also a not filled properly, it didn't list any of the jobs. So as far as he can tell on that day, he didn't have any credit card transaction. It was

all cash.

Based on that, I gave him a \$50 fine for failure to accept credit card and also failure to complete a proper waybill.

EXECUTIVE DIRECTOR ELIZABETH LINT: And I have Part 2.

CHAIR ANDREA JACKSON: Okay. I just have one question. So the credit card machine for that particular cab is built into the back of the cab?

BENNY SZETO: No, it's portable.

CHAIR ANDREA JACKSON: Portable.

BENNY SZETO: Yes. According to Wally every time they sign out for a cab, I believe they give them the machine.

CHAIR ANDREA JACKSON: Okay. Ms. Lint?

EXECUTIVE DIRECTOR ELIZABETH LINT:
So Mr. Gebara appealed the issuance of the fine. We had an appeal hearing on May 1, 2015. Officer

Szeto recited the facts that he just stated, and he also stated that Wally Nacool also supplies the credit card machines for the -- the credit card readers for the drivers.

So when I questioned Mr. Gebara what happened on that date, he told me that he left the credit card machine in his personal car when he switched vehicles, and he also told me that from time to time the machines don't work, so you have to call the dispatcher to have them run the numbers through for you.

So we asked him if he called the dispatcher on this occasion when the passenger said they wanted to use a credit card, and he said no. He admitted he didn't have the waybill properly filled out. We pointed out to him that he could have been issued a fine for that as well.

We explained that as of April 1st it was

mandatory to take credit cards at all times, and based on the fact that he gave very conflicting stories and had no waybill to verify any transactions on that date, and what Wally also indicated, that we -- I upheld the fine for failure to take a credit card on that date.

CHAIR ANDREA JACKSON: What was the amount of the fine?

EXECUTIVE DIRECTOR ELIZABETH LINT: \$50.

CHAIR ANDREA JACKSON: Do you have anything you would like to add, sir?

GEORGE GEBARA: Yes. I do credit card all the time, and that particular day, I didn't have my credit card because I left it as I drop in my suitcase, I just fell down, and those credit cards that we have, they're no good at all whatsoever. Always need to charged. We don't have a charger in there. We don't have nothing. I left it as if I'm going to go charge it 'cuz

the battery goes dead on there. They supposed to have installation credit card in the taxi in order for me to do a taxi because all the time I'm having problem with my credit. And I told the guy, this is it. I just couldn't do the credit.

But I have proof that I do credits, and, as a matter of fact, last night I did credit. It says minimum charge \$10. I did it for \$8.

And this is the first time it ever happened. But those credit machines are no good the one they supply us with, and they don't even have a charger to charge them up. You do one, two, three credit cards and they go down.

CHAIR ANDREA JACKSON: Are you able to charge it in the car?

GEORGE GEBARA: No. No charger at all. No wire at all whatsoever. I feel I'm not responsible for this issue because I don't own

the company.

FIRE CHIEF GERALD REARDON: Are you on radio service at all.

GEORGE GEBARA: I am, but on radio service, but the dispatcher don't deal with me. He doesn't want to deal with me. It's been almost a year. He doesn't want to even talk to me.

FIRE CHIEF GERALD REARDON: Who is the dispatcher?

GEORGE GEBARA: His name is Jason.

And not only that, one Friday, he give me like three no-shows back to back. I go to the job. I start job at 4:00. It's 5:30 I make zero, zero, zero amount and you know how the taxi business right now compared to Uber, I'm not even making \$50 a day.

FIRE CHIEF GERALD REARDON: Did you actually have a radio in the car or were you

phoning into the dispatcher?

GEORGE GEBARA: Yes, but I'm not allowed to call.

FIRE CHIEF GERALD REARDON: So there's no radio --

GEORGE GEBARA: He hang up on me. If I call, he hang up. He doesn't even have --

FIRE CHIEF GERALD REARDON: Did you call him on the phone or did you call him on a radio?

GEORGE GEBARA: Yes, sometimes both.

FIRE CHIEF GERALD REARDON: Both. Did you make any call to him that your credit card machine was not working?

GEORGE GEBARA: I didn't, sir, because I was ready to go back to the office because I don't want to --

CHAIR ANDREA JACKSON: In this case it wasn't that your machine wasn't working, you said that you didn't have the machine with you.

GEORGE GEBARA: No. That time, no, I didn't have it. I drop it, ma'am.

CHAIR ANDREA JACKSON: Why wasn't your waybill filled out?

GEORGE GEBARA: I've some kind of sickness in the family and I just -- I was off that day. My mind was completely gone.

CHAIR ANDREA JACKSON: So you understand it's a requirement that, number one, the waybill has to be filled out, and number two, it's mandatory that you accept credit cards?

GEORGE GEBARA: Of course.

CHAIR ANDREA JACKSON: If you recognize that you left your machine, you should have gone back to go get it, correct?

GEORGE GEBARA: Yes, ma'am. I was -- I understand. I just waiting for one job to go and come and get it.

FIRE CHIEF GERALD REARDON: What time do

you start your shift, Mr. Gebara?

GEORGE GEBARA: I start my shift at 4:00 usually.

POLICE COMMISSIONER ROBERT HAAS: What time was the violation?

BENNY SZETO: 4:30.

FIRE CHIEF GERALD REARDON: Where do you pick the car up?

GEORGE GEBARA: 103 Fulkerson in Cambridge.

THE REPORTER: I'm sorry, I didn't hear it.

GEORGE GEBARA: 103 -- 103 Fulkerson.

THE REPORTER: 103?

GEORGE GEBARA: Fulkerson.

EXECUTIVE DIRECTOR ELIZABETH LINT:
Fulkerson.

THE REPORTER: Fulkerson. Thank you.

CHAIR ANDREA JACKSON: And where -- if

you left the machine in your personal car, was your personal car parked by Fulkerson?

GEORGE GEBARA: By Charles Street or Bent Street. Sometimes on Fulkerson, too. That's if I can find a parking space.

CHAIR ANDREA JACKSON: So your car was parked essentially five minutes from where you picked up the fare?

GEORGE GEBARA: Yes.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No further questions.

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

uphold the discipline of the fine of \$50.

Is there a second.

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: The fine stands as is, sir.

You're all set. Thank you.

FIRE CHIEF GERALD REARDON: Maybe we'll have Officer Szeto look into some of these innuendos about credit card machines in general at that particular company.

BENNY SZETO: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: First I heard of it.

FIRE CHIEF GERALD REARDON: Still follow

up.

CHAIR ANDREA JACKSON: Thank you, Officer Szeto.

APPLICATION: CARDULLO'S GOURMET FOOD SHOPPE,
INC D/B/A CARDULLO'S GOURMET SHOPPE

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Cardullo's Gourmet Food Shoppe, Incorporated, doing business as Cardullo's Gourmet Shoppe, Kim Wilson, manager, has applied to transfer the wine and malt beverages package store license currently held by Cardullo's, Incorporated, Donez Tavilla, manager, at 6 Brattle Street. Applicant is also applying to pledge said license and inventory to Enterprise Bank.

ATTY THOMAS DEMAKIS: Madam Chair and Members of the Commission, my name is Thomas, T-H-O-M-A-S, Demakis, D-E-M-A-K-I-S. I'm an attorney representing the petitioner.

To my left are Richard and Kim Wilson,
who are the principals of the petition.

KIM WILSON: Kim Wilson, W-I-L-S-O-N.

RICHARD WILSON: Richard, Wilson,
W-I-L-S-O-N.

ATTY THOMAS DEMAKIS: To my right is
Donez Tavilla, who is the manager of the present
licensee. Spell your name.

DONEZ CARDULLO-TAVILLA: Sure.
D-O-N-E-Z, Cardullo, C-A-R-D-U-L-L-O, Tavilla,
T-A-V-I-L-L-A.

ATTY THOMAS DEMAKIS: We are here today
petitioning for a transfer of the malt and wine
beverage license, package store license from the
current licensee to my client.

The current licensee is Cardullo's, Inc
d/b/a Cardullo's Gourmet Food Shoppe to my
clients are Cardullo's Gourmet Shoppe, Inc doing
business as Cardullo's Gourmet Shoppe.

And also we are going to ask you to approve a pledge of the license to Enterprise Bank, a pledge of the inventory to Enterprise Bank, and the change of the d/b/a from -- to Cardullo's Gourmet Shoppe, which is the name of the sign outside of the door.

My client, the petitioner corporation, the principals of the petitioner corporation are Richard and Kim Wilson seated to my left. They're husband and wife.

They have substantial retail experience. Mrs. Wilson, who is the proposed manager of the new licensee, has more than 20 years of retail with Jordan Marsh, Filene's, Staples, Linens & Things, Staples, and other entities.

Her husband, Mr. Wilson, was -- has also much retail experience, including he was the CEO of a publically traded company that had 220 retail stores in the southwest. This is their

first experience with an alcoholic beverage license. They are obviously very capable based on the prior background. They're very privileged to be the buyers of a Cambridge institution.

Ms. Cardullo's, seated to my right, business has been in her family for 65 years as of April 1st. And my clients are going to run a family business. They're a husband-and-wife-team, and their daughter Madelyn, who is a college student, is also going to be working in the business when she can.

The financing, the purchase price is \$775,000, half of it's coming from Mr. Cardullo's personal funds and the other half is --

CHAIR ANDREA JACKSON: Mr. Wilson.

ATTY THOMAS DEMAKIS: Mr. Wilson.

CHAIR ANDREA JACKSON: I was going to say that was very generous of you, Attorney Demakis.

ATTY THOMAS DEMAKIS: I tried. A for

effort.

I wanted to see if everybody was paying attention.

Mr. Wilson's personal funds and the other half is financed by Enterprise Bank.

The inventory is extra, particularly in transactions such as this, we anticipate and we're estimating that the inventory will be roughly \$100,000, and Enterprise Bank is providing a line of credit card for the Wilsons to purchase the inventory.

To the extent the inventory possibly exceeds \$100,000, that excess would be financed by Mr. Wilson.

The lease with the landlord is a percentage lease, which means that the ABCC will require personal information forms and CORI forms.

The landlord consists of three entities

and three entities have 11 principals. We had -- that means we need 11 sets of personal information and CORI forms.

We had a little bit of difficulty persuading the landlord that they needed to do this because they just did it in August of last year, the same ownership group. Obviously, Cardullo's is 6 Brattle Street, the same ownership that owns 21 Brattle Street. They released personal information forms and CORI forms in connection with a petition by a Chazumba, LLC, which does business as Felipe's Taqueria.

We finally prevailed upon them that they would have to do them again. And they have agreed. But we don't have them.

So we're hopeful that you will approve our application tonight to transfer the license -- pledge the license and inventory to Enterprise

Bank and allow us to choose d/b/a Cardullo's Gourmet Shoppe, which has the sign over the door, subject to our producing to the ABCC the required personal information forms and CORI applications.

CHAIR ANDREA JACKSON: Thank you. I would like to hear from you two. If you could tell me a little bit more about your experience and what challenges you think you may have.

KIM WILSON: Sure. So I am a lifelong resident of Massachusetts, and I started my career at Jordan Marsh, and I have been in varying different retail careers with Jordan Marsh and then I worked for Filene's, and then I worked for Linens & Things for a period of time, and then I spent -- my last career was at Staples. So I've been in all different types of retail. I'm very, very passionate about customer service, the food industry, and as Tom alluded to, the alcohol beverage piece is a new piece for

us, but Rich and I decided, I guess it was about almost more than a year ago we wanted to leave the corporate world and start to do -- make our -- find our own business.

So we looked at wide variety of business that could appeal to us and matched up with our skill-sets, and Cardullo's Gourmet Shoppe came up, and it seemed to be a good fit for a whole host of reasons. It was local and it's family-owned, and we wanted to continue the legacy here in Cambridge in Harvard Square, and we have been working with the Cardullo family to really make a smooth transition. We have become dedicated students of their business, as she's nodding away, so that we can continue all of the great service and community outreach that they do for Harvard Square.

CHAIR ANDREA JACKSON: Okay.

RICHARD WILSON: Vast amount of retail

experience, Filene's to BJ Wholesale Club, Macy's New York, and I ran a company that was headquartered in Dallas, a public company, CEO, as Tom's already mentioned, and that business was worth a little bit more than 450 million dollars.

I'm very familiar in running public companies with state regulations and so forth. I understand the complexities of running a public company, and I believe I can transfer those skills to running a shop here in Harvard.

So between the two of us, we have a lot of the managerial and retail experience in other parts of managing a retail company. And the company I ran in Dallas also had a food element to it, in grocery, so we're familiar with that part of the business.

And, again, to Kim's earlier point, it was our intention to manage Cardullo's as Cardullo's. We want it to be a seamless

transition in the community. It's truly a -- it is our great fortune to be able to carry on that legacy in the Cambridge community.

And, again, it's our intention to build upon the legacy that Donez and her family and her father started.

CHAIR ANDREA JACKSON: Thank you.

ATTY THOMAS DEMAKIS: May I add, Madam Chair, needless to say, if you approve this transfer, my clients are going to be become TIPS certified.

CHAIR ANDREA JACKSON: Are going to become...?

ATTY JAMES RAFFERTY: Become TIPS certified.

CHAIR ANDREA JACKSON: They also have to be 21 Proof.

KIM WILSON: Yeah, I heard that earlier.

ATTY THOMAS DEMAKIS: She'll be 21 in

January.

CHAIR ANDREA JACKSON: Do you have any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

FIRE CHIEF GERALD REARDON: No extensive premises change at all.

RICHARD WILSON: None at all.

CHAIR ANDREA JACKSON: You're leaving everything as is and kind've stepping right in?

RICHARD WILSON: We are. At this point, we'll step in, run it as-is. At some point we might update the deli. But in terms of the overall infrastructure and the way the shop is set up today, it's our intention to leave it that way. We'll do some maintenance-type things, but generally the layout of the shop as it exists today, the assortment as it exists today is what we would take on continuing to present to the

public.

CHAIR ANDREA JACKSON: What will your hours of operation be?

RICHARD WILSON: Currently the shop is open 9:00 to 9:00 every night, except Sunday is 10:00 to 7:00.

CHAIR ANDREA JACKSON: Do you foresee hiring other employees to work there?

RICHARD WILSON: Yes. Currently the shop has approximately 12 employees at any given time. So there will be a mix of full-time and part-time employees. About 80 percent of the shop's business today is non-beer or wine, it's grocery and deli. About 20 percent is the beer and wine piece of the business.

KIM WILSON: So our intention is to maintain the staffing module that they have now, and then, as they have typically done, they wrap up for the holiday season with more part-timers

to handle the holiday traffic. So we intend to mimic what they have done.

CHAIR ANDREA JACKSON: Ms. Lint, is the paperwork in order?

EXECUTIVE DIRECTOR ELIZABETH LINT: It is except for the missing CORIs.

ATTY THOMAS DEMAKIS: I knew you would catch it.

EXECUTIVE DIRECTOR ELIZABETH LINT: And I think the tax ID number is also -- there's indication in the plan that it was applied for, but just hasn't.

KIM WILSON: We have it.

EXECUTIVE DIRECTOR ELIZABETH LINT: If you could call us with that?

KIM WILSON: Sure.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No further questions.

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 the wine and malt beverage package store license currently held by Cardullo's to -- I want to make sure I have this right -- Cardullo's Gourmet Shoppe, Kim Wilson as manager, and also approve the pledge of said license at of inventory to Enterprise Bank and with the requirement of 21 Proof training for both of you, and contingent upon receipt of the CORI forms.

EXECUTIVE DIRECTOR ELIZABETH LINT: And the tax ID.

CHAIR ANDREA JACKSON: And the tax ID

number.

ATTY THOMAS DEMAKIS: Madam Chair, I
assume implicit in that motion transfer from
Cardullo's to Cardullo's Gourmet Shoppe is a full
change from the d/b/a?

CHAIR ANDREA JACKSON: Yes, that's
correct.

ATTY THOMAS DEMAKIS: Thank you.

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

RICHARD WILSON: Thank you very much.

KIM WILSON: Thank you very much.

CHAIR ANDREA JACKSON: Good luck to you.

APPLICATION: ORHAN TAS D/B/A CAFE ANTHONY 983

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Orhan Tas, doing business as Cafe

Anthony 983, Orhan Tas, manager, holder of a common victualer license at 983 Massachusetts Avenue with a seating capacity of 24 and hours of operation from 7:00 a.m. to 12:00 a.m. seven days per week has applied to include six seats on the public sidewalk. This is the same situation where I have not heard back from Public Works.

CHAIR ANDREA JACKSON: Good evening. If you could both state your name for the record, spelling your first name and last names, please?

ORHAN TAS: My first name is Orhan, O-R-H-A-N, last name T-A-S.

CHAIR ANDREA JACKSON: "T" as in "Tom" A-S?

ORHAN TAS: Yes.

NANCY TAS: My name is Nancy Tas, N-A-N-C-Y, T-A-S.

CHAIR ANDREA JACKSON: You're looking to have outside seating, is that correct?

NANCY TAS: Yes.

CHAIR ANDREA JACKSON: Six seats on the public sidewalk?

NANCY TAS: Yes.

CHAIR ANDREA JACKSON: How many tables?

NANCY TAS: Two or three tables.

CHAIR ANDREA JACKSON: You need to know how many, correct?

EXECUTIVE DIRECTOR ELIZABETH LINT: We need to know how many.

NANCY TAS: Three tables. We would like to have --

CHAIR ANDREA JACKSON: Three tables?

NANCY TAS: Yes. We bought the shop about a month ago. The first of May we got it.

CHAIR ANDREA JACKSON: I remember you.

NANCY TAS: Yes. But everybody keep asking us if we can have seats outside, if it's possible. So they told us, you know, they keep

on badging us.

CHAIR ANDREA JACKSON: This is a CV only, correct?

NANCY TAS: Yes.

CHAIR ANDREA JACKSON: Do you have any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No questions.

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

EXECUTIVE DIRECTOR ELIZABETH LINT: So the application says two tables.

NANCY TAS: Two tables is good. But I don't remember whether we put down two tables or three. I don't remember what we did.

CHAIR ANDREA JACKSON: Two tables, six

seats.

NANCY TAS: I don't remember if it was two tables we put down, or three. But I was asked to bring the insurance binder. I have it with me.

CHAIR ANDREA JACKSON: Same situation, up against the building or curb side?

EXECUTIVE DIRECTOR ELIZABETH LINT: I don't know if there's enough space there either way.

CHAIR ANDREA JACKSON: It's a very narrow sidewalk.

EXECUTIVE DIRECTOR ELIZABETH LINT: It's a very narrow sidewalk.

NANCY TAS: It's the corner of Dana and Mass Ave.

POLICE COMMISSIONER ROBERT HAAS: Has DPW been out to inspect the space at all?

NANCY TAS: No.

EXECUTIVE DIRECTOR ELIZABETH LINT: Vin Best is away. I spoke with Bill Dwyer yesterday and he said he was going to go out today. I emailed him because I hadn't heard from him.

POLICE COMMISSIONER ROBERT HAAS: There might not even be enough space there.

EXECUTIVE DIRECTOR ELIZABETH LINT: I don't think there's enough space.

CHAIR ANDREA JACKSON: I'm going to make a motion that we continue this matter until our Decision Hearing to give DPW time to go out and look at the space, and let us know whether or not there's enough space to put the tables and chairs.

NANCY TAS: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT:
That's the 25th.

NANCY TAS: Come back on the 25th.

EXECUTIVE DIRECTOR ELIZABETH LINT:

That's at 10:00 in the morning. You don't have to come.

CHAIR ANDREA JACKSON: We will let you know what the hearing date is.

NANCY TAS: You will send a letter or something?

CHAIR ANDREA JACKSON: Yes.

NANCY TAZ: Okay.

CHAIR ANDREA JACKSON: Motion's been made to continue.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: Aye.

NANCY TAS: Thank you.

CHAIR ANDREA JACKSON: Thank you.

APPLICATION: UNO RESTAURANTS, LLC
UNO PIZZERIA & GRILL

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Uno Restaurants, LLC, doing business as Uno Pizzeria & Grill, Scott Jedry, manager, holder of an all alcoholic beverages restaurant license at 22 JFK Street has applied for a change of officers/directors and a transfer of stock. The stock transfer is taking place in a parent company.

MARTIN LOPEZ: Good evening, everyone.

My name Martin Lopez, that's M-A-R-T-I-N L-O-P-E-Z. I'm assistant general manager. Unfortunately, Scott couldn't be here. He's on vacation. So I'm here in his place.

So I'm here as an application to add Pat Hickey as senior vice president and COF (sic-"CFO") to current license. Also, add Louis Psallidas, which is P-S-A-L-L-I-D-A-S.

THE REPORTER: First name?

MARTIN LOPEZ: L-O-U-I-S, who is currently on the license and senior vice president and COF -- CFO. Sorry -- as the new CEO and president, reallocation of stock interest of existing stockholders.

CHAIR ANDREA JACKSON: Ms. Lint, as I understand it, this is happening again at the corporate level across the board all of their Pizzeria Uno Restaurants, correct?

EXECUTIVE DIRECTOR ELIZABETH LINT: Correct. It's an inverse transaction. The ABCC has all the paperwork for the entire company for all the transactions. I think it involves about eight or nine different towns.

MARTIN LOPEZ: Yes. Actually, I have a list.

EXECUTIVE DIRECTOR ELIZABETH LINT: I have it too.

And they have collected -- all they're asking is that the local licensing authorities collect the fees on the \$200 application fees -- actually, no, all the application fees have been paid to the ABCC. They have all the paperwork and it's just notification to the local licensing authorities.

CHAIR ANDREA JACKSON: Okay. There are eight or nine towns working in that?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. There's more than that. 21, 22.

CHAIR ANDREA JACKSON: Okay. Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No questions.

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

this?

Seeing none, I make a motion that we approve the change of officers, directors and the transfer of stock which is taking place at the parent company for Uno Restaurants, LLC doing business as Uno Pizzeria & Grill.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: Aye.

FIRE CHIEF GERALD REARDON: You're all set.

MARTIN LOPEZ: Thank you very much.

CHAIR ANDREA JACKSON: Thank you.

APPLICATION: INMAN CAMBRIDGE, LLC
D/B/A INMAN SQUARE WINE & SPIRITS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Inman Cambridge, LLC, doing business as Inman Square Wine & Spirits, Walter Sousa, manager, has applied for transfer of the seven-day all alcoholic beverage package store license currently held by Manpriya, Inc, Jaswinder Pabla, manager at 56 JFK Street. The applicant is also applying for a change of location from 56 JFK Street to 1226 Cambridge Street.

CHAIR ANDREA JACKSON: Good evening.

ATTY JAMES RAFFERTY: Good evening, Madam Chair and Members of the Commission. James Rafferty appearing on behalf of the applicant, Inman Square, LLC -- Inman Cambridge, LLC, doing business as Inman Square Wine & Spirits.

Seated to my right is Walter Sousa.

Mr. Sousa is the manager of the LLC, the sole member of the LLC and proposed manager of the

package store.

I'm sure the Commission is familiar with this location. It has been at this location. It has been a package store for decades. In fact, Mr. Sousa, himself, who owns the building or owns the condominium unit, which the premises are located, owned and operated a package store at this location for 20 years, from 1985 to 2005.

He's a native of East Cambridge having grown up a few blocks from this location on Marcella Street. A respected businessman in the community.

And, in fact, under his ownership, his storefront at this location was the first storefront that participated in the Cambridge Street Improvement Project. It has a handsome appearance in front, and under his ownership, Mr. Sousa had a discipline free-record with the License Commission.

What happened in 2005, the license was sold, the new operator became a tenant of Mr. Sousa at the location, and unfortunately, the operator proved not to be up to the task. So the Commission is probably well aware that after a series of violations and sanctions imposed by the Commission, the Commission ultimately revoked this package store license and canceled the license.

Mr. Sousa now wishes to reopen and reestablish a business at this location. And to do so, he had to find a package store license that was available. So he has entered into a contract to purchase the license, a package store license, that is currently operated by Doma on JFK Street in Harvard Square.

Being very familiar with the building, being a trustee of the condominium where the building was located and also having an

understanding of the neighborhood, Mr. Sousa is well aware of the problems associated with the prior operator, and has taken affirmative steps to ensure that there is no repeat of that behavior. He has begun an extensive or has engaged in an extensive outreach. He's had meetings with the condominium trustees and the fellow condo unit owners. He has hosted an open house at the premises a week ago where he sent out fliers to the surrounding neighborhood and invited people to come in and share his plans with them.

This evening we would like to share with you the renderings that Mr. -- do you want to put those up on the tables -- the renderings that Mr. Sousa commissioned because his whole approach here is going to be to upgrade this location, and to have it avoid any attraction to the clientele that created some of the problems at the prior

establishment.

As I said, Mr. Sousa actually owns this space physically, so he's able to make an investment that perhaps a leasehold tenant might not be as fully committed to do.

He's also made it clear that his product line and his customer mix is designed to service the existing residential neighborhood, and he's prepared to take steps around the operation to ensure that it does not find itself in the situation remotely close to what occurred.

I think it's fair to say that what occurred in the prior licensee was the early sale of alcohol, and the sale of it to intoxicated patrons, and there were a myriad of problems associated with that use.

That stands in stark contrast to the 20-year history Mr. Sousa established at this location.

So the concern is, frankly,
understandable, but also the track record that
Mr. Sousa established and the ethics --

POLICE COMMISSIONER ROBERT HAAS: Can you
walk us through -- with the overhead lights so
it's hard to figure out what's what there.

ATTY JAMES RAFFERTY: So what this
location is -- when I first looked at, it
reminded me a bit of what was done at a place
like Central Bottle. It's very high-end finishes
with natural wood, exposed brick.

Point of purchase sales, Mr. Sousa is
working with a consultant in the wine area. He
will have a heavy emphasis on wine here, seeing
it's a big attraction in the residential
neighborhood. Craft beers.

POLICE COMMISSIONER ROBERT HAAS: Uh-huh.

ATTY JAMES RAFFERTY: So the finishes and
the build-out here, high ceiling, new lighting.

Mr. Sousa has already begun some restoration work in the front of the building. This past week alone, he's put planters out front and planted flowers in front of the premises. He's really looking to reposition this in a significant way. In many ways, I think the experience in package stores in particular, but in licenses in general, is that a certain aesthetic will define a customer base. And the thinking here is that the aesthetics that will be created as a result of these improvements will avoid the type of problems that existed with the prior use so -- with the prior operator.

So the finishes here, the build-out here is quite extensive. It's a complete gut rehab of the space. And with some professional merchandising and marketing, the goal here is to become a very wine focused, the name alone, Inman Wine & Spirits is intended prominently to feature

wines, wine tasting, food products associated with wine, cheese, and the like. There's a consultant that will be working on that. Wine tasting is going to be part of the program.

It really is a thriving residential community. It has a high level of walk-in trade, and there's not, frankly, a store of this caliber that close in this region.

POLICE COMMISSIONER ROBERT HAAS: Bring the diagram back up again. As you walk in the front door, the first think you're going to encounter is that counter right there or -- I mean, I'm just trying to figure out where the stock is in relationship to people coming into the retail space.

So I'm just really having a hard time trying to figure out where the door is in proximity to that -- I'm assuming that's the counter right there?

WALTER SOUSA: This will be the counter.

POLICE COMMISSIONER ROBERT HAAS: Right.

WALTER SOUSA: That's going to be coming in right through here.

POLICE COMMISSIONER ROBERT HAAS: So that's a straight shot to the counter?

WALTER SOUSA: Straight shot to the 6 x 6 area, you know.

POLICE COMMISSIONER ROBERT HAAS: Okay.

WALTER SOUSA: If we go to this side, which is open.

POLICE COMMISSIONER ROBERT HAAS: What is the vantage point of that counter to that side space there? If the clerk is at the counter --

WALTER SOUSA: He can have -- he has this, at an angle to the wine room.

POLICE COMMISSIONER ROBERT HAAS: Right.

WALTER SOUSA: And also to the spirits --

POLICE COMMISSIONER ROBERT HAAS: So he

can clearly see to that area off to the side there, it's not blocked by that wall?

WALTER SOUSA: No. There's no wall there.

ATTY JAMES RAFFERTY: That's a beam.

WALTER SOUSA: That's a beam that's --

POLICE COMMISSIONER ROBERT HAAS: That's why I can't see.

So is there any product between the front door and the counter?

WALTER SOUSA: No.

POLICE COMMISSIONER ROBERT HAAS: So there's not going to be any --

WALTER SOUSA: No. There's not going to be any --

POLICE COMMISSIONER ROBERT HAAS: -- nip bottles or other kinds of liquor that's accessible before they actually walk through those two areas?

WALTER SOUSA: No, there's nothing.

POLICE COMMISSIONER ROBERT HAAS: And
where is your cheese going to be located?

WALTER SOUSA: Well, the consultant is
coming in. Probably in this backroom. In this
backroom here someplace. This going to be all
wines back here.

POLICE COMMISSIONER ROBERT HAAS: Right.
So what is that boxed-off area there?

WALTER SOUSA: This here?

POLICE COMMISSIONER ROBERT HAAS: No.

WALTER SOUSA: This here?

POLICE COMMISSIONER ROBERT HAAS: Yeah.

WALTER SOUSA: That's a cooler.

POLICE COMMISSIONER ROBERT HAAS: All
right. So that's not exitable to the --

WALTER SOUSA: That's the walk-in cooler
on this side.

POLICE COMMISSIONER ROBERT HAAS: Right.

WALTER SOUSA: This is the reach-in cooler.

POLICE COMMISSIONER ROBERT HAAS: Okay. So what's that area behind that wall?

WALTER SOUSA: This here?

POLICE COMMISSIONER ROBERT HAAS: Yeah.

WALTER SOUSA: This is the office, bathroom, and this also is going to -- this used to be my storage --

POLICE COMMISSIONER ROBERT HAAS: Okay.

WALTER SOUSA: -- but now it's going to be the wine room also.

POLICE COMMISSIONER ROBERT HAAS: What is off to the right there?

WALTER SOUSA: Right here?

POLICE COMMISSIONER ROBERT HAAS: Off to the right.

WALTER SOUSA: Right here?

POLICE COMMISSIONER ROBERT HAAS: Yeah.

What's that?

Is that just shelving?

WALTER SOUSA: That's shelving right there, yes.

ATTY JAMES RAFFERTY: This floor plan, which is the middle, will really address the relationship. You can see -- you can see the front door --

POLICE COMMISSIONER ROBERT HAAS: Okay.

ATTY JAMES RAFFERTY: -- and you can see the beam and it lays it out good.

The perspective drawing is -- it's true, it's up high, so it's -- but, as I said, the location itself did succeed under Mr. Sousa's stewardship for 20 years.

And, as I said, Mr. Sousa owns the unit, this unit, he serves as a trustee in the condominium association, he has a number of people that expressed support. We have

signatures from nearby residents in close proximity in support of the application.

As I said, we're very conscious of the fact that the prior operator created a nuisance, and certainly his conduct resulted in the loss of his license.

So concern is warranted for certain given the location, but there is no connection between this operator and Mr. Sousa.

The physical changes to the premises, the product changes, the entire approach to customer service, focus on wines, and serving the residential neighborhood, he's going to reposition the store in a way that Mr. Sousa is confident with the amenity to the neighborhood.

POLICE COMMISSIONER ROBERT HAAS:

Typically how many employees will be working at any given time in the store?

WALTER SOUSA: Three.

POLICE COMMISSIONER ROBERT HAAS: So you would have up to three employees working while the store is open?

WALTER SOUSA: Two to three.

POLICE COMMISSIONER ROBERT HAAS: Did I understand correctly you operated this prior to the prior operator?

WALTER SOUSA: As a liquor package store?

ATTY JAMES RAFFERTY: Yes, from 1985 to 2005. He was the holder -- his corporation was the holder of the package store license. It was sold and transferred to the entity. That license -- that's the license that has been revoked.

POLICE COMMISSIONER ROBERT HAAS: Right, right, right. So during that period of time, '65 to --

ATTY JAMES RAFFERTY: '85 to '05.

POLICE COMMISSIONER ROBERT HAAS: '85.

What was your disciplinary history with it,
that's why you operated it?

ATTY JAMES RAFFERTY: One incident
appears, I think it was in the late '80s when
there was a sting operation and a number of
licensees were caught. The License Commission
organized and ran a sting operation. It's a
practice that didn't continue. It led to the
creation of CLAB where licensees said, "We would
rather work collaboratively with the License
Commission at this." So with the exception of
one incident --

POLICE COMMISSIONER ROBERT HAAS: Was
that underage?

ATTY JAMES RAFFERTY: That was underage,
an underage sale in the late '80s. That's the
sole incident.

POLICE COMMISSIONER ROBERT HAAS: So talk
to me about the precautions you're going to take

to make sure that the retail's going forward with their employees, what things are you going to put into place to make sure that doesn't happen?

WALTER SOUSA: We would be spending money on the ID readers, training, whatever training is available that I can give them. Some of these people will be coming from areas that they worked before in liquors stores. So it's not going to be somebody from -- no experience --

POLICE COMMISSIONER ROBERT HAAS: What forms of identification are you going to accept as proof of identity and age?

WALTER SOUSA: Mass ID, passport, if I'm allowed, driver's license.

POLICE COMMISSIONER ROBERT HAAS: Right. I mean, if there are student IDs and things like that, are you going to accept those?

WALTER SOUSA: No.

POLICE COMMISSIONER ROBERT HAAS: So the

only three documents you're going to accept is an identification card?

WALTER SOUSA: Correct.

POLICE COMMISSIONER ROBERT HAAS: Mass driver's license or I would imagine out-of-state driver's license, right, for that matter, and a passport?

WALTER SOUSA: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT:
That's not acceptable.

POLICE COMMISSIONER ROBERT HAAS: So the Out of State is not a problem?

ATTY JAMES RAFFERTY: Military ID, Mass driver's -- a Mass liquor card or a Massachusetts license.

POLICE COMMISSIONER ROBERT HAAS: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: And a passport and in Cambridge, the Mexican Consulate ID.

ATTY JAMES RAFFERTY: Oh.

WALTER SOUSA: Never heard of that one.

POLICE COMMISSIONER ROBERT HAAS: You
accept anything else, you take responsibility
for --

WALTER SOUSA: Yes.

POLICE COMMISSIONER ROBERT HAAS: Okay.

ATTY JAMES RAFFERTY: He's not entitled
to the inference of due care if he relies upon
another form of identification. Not that it's a
violation to do so.

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

POLICE COMMISSIONER ROBERT HAAS: Well,
but there's a greater liability associated with
that.

ATTY JAMES RAFFERTY: Correct. One
cannot assert that they exercise due care, right.

FIRE CHIEF GERALD REARDON: Mr. Sousa --

ATTY JAMES RAFFERTY: Just in response to

that point by Commissioner Haas, one of the other things Mr. Sousa agreed to is, statutorily, the Section 15 licenses can open at 8:00 a.m.

Part of the problem is a customer is very eager to make purchases at that hour. Mr. Sousa has agreed not to open prior to 9:00 a.m. at this location.

POLICE COMMISSIONER ROBERT HAAS: So part of the concerns, quite honestly, was there's a bus stop that was located near the proximity of that store, and I just want to make sure -- I think if we can avoid an intersection between the store being open and school children standing and by or near the store for a bus stop, you know, they should try to avoid that. And I think that was part of the problem last time.

You had a number of customers trying to make their way into the store, and we had a lot of young kids standing there to get on a bus. So

I think we want to try to avoid that situation again. I imagine the buses are gone.

ATTY JAMES RAFFERTY: Certainly. I don't think there's a school in Cambridge that opens after 9:00 a.m., but I would be surprised.

FIRE CHIEF GERALD REARDON: You took my first question away, counselor. It's opening time.

The second one was the issue of nips in terms of, you know, being problematic in terms of liquor sales.

ATTY JAMES RAFFERTY: This is an issue that came up in our -- his meetings with the neighbors. There is a market for nips, but not for a population that uses them to drink furtively or to use them in a way --

FIRE CHIEF GERALD REARDON: I think in that business there's a higher tier and lower tier of those.

ATTY JAMES RAFFERTY: Well, that was exactly what Mr. Sousa had proposed. That there are some purchasers who want just a small quantity of the higher end liquor, and we discussed having only nips of a certain caliber. We also talked about having a later start time on the sale of nips. Perhaps as late as 11:00 a.m.

So, some combination of a time restriction and a price point or caliber restriction, so these would be higher-end nips. Nips has such a pejorative term, I mean, it sounds like the, you know --

POLICE COMMISSIONER ROBERT HAAS: Little bottles of alcohol.

ATTY JAMES RAFFERTY: Right, right. We used to get them on airlines, but now -- but because the first reaction was, you know, why do you need them? Why not sell them at all? But particularly in the higher-end area with people

purchasing craft beer and the like, the industry suggests that there is a customer demand but for -- the only market he's looking to serve would be, as I said, a higher market, not the buyer who buys them and leaves them in their pocket and as I said drinks them furtively.

POLICE COMMISSIONER ROBERT HAAS: If I understand you correctly, Mr. Sousa, you're willing to delay the sale of the smaller bottles of alcohol to later in the morning?

WALTER SOUSA: Yes.

POLICE COMMISSIONER ROBERT HAAS: Then that would just be a rule that you would keep for yourself or is that something that you look for as a stipulation by this body?

WALTER SOUSA: Whatever.

ATTY JAMES RAFFERTY: He would represent that, but if the Commission felt it's best to trust, but verify, then, I think it's a

condition -- there's an understanding.

We believe that there's also an opportunity for whatever conditions are imposed to be evaluated after a period of time. We understand the concern. We're not saying that -- it's not based out of a recent experience. But the challenge here is for Mr. Sousa to demonstrate to people who did not experience the operation. Many of the people that have concerns here simply weren't present in 2005 or during the period of time that -- but there's been a lot of demographic changes in the area and the neighborhood and this is going to be a significant investment by Mr. Sousa.

He suffered significant financial losses as a result of the prior operator. In addition to his financial troubles -- I mean, his licensing troubles, it was a termination of the lease, there was rent hasn't been coming in, it's

been a dark storefront on a prominent corner, it's a building which he had taken great pride in the facade, in the work that he had done. So he's very eager to make this return to viable commercial use on that corner.

FIRE CHIEF GERALD REARDON: So one of the other tactics you can use with the nips, so to speak, is to not place them prominently at all and have people request them as opposed to having them on display.

I know sometimes that may not be the best way to market something, but I think most of the people who are looking for those probably don't have a problem asking for them versus perusing them.

I don't know what your plan was, Mr. Sousa, as far as where you're going to store these, or how you advertise them, the nips, so to speak, versus --

WALTER SOUSA: Well, like Mr. Rafferty said, there will be just high-end nips and they will be stored behind the -- I mean, on the shelf behind the counter.

CHAIR ANDREA JACKSON: Behind the counter so people will have to ask for them?

WALTER SOUSA: Well, you'd see them obviously behind the counter, you'd be asking and say "I want a nip of cognac and Grand Marnier.

POLICE COMMISSIONER ROBERT HAAS: And that's not uncommon. I have seen them in other package stores where there's --

WALTER SOUSA: I don't know what this guy was doing before, but we always had it behind the counter.

CHAIR ANDREA JACKSON: Again, what were the hours of operation be?

ATTY JAMES RAFFERTY: Well, 9:00 a.m. start with a 11:00 p.m. close, then the permitted

Sunday hours.

CHAIR ANDREA JACKSON: What about trash disposal?

WALTER SOUSA: We have Waste Management, one of the companies.

FIRE CHIEF GERALD REARDON: One of the others things that came up with the previous owner was the amount of trash being generated around the store and several doors down in terms of, I don't know, have you thought about a plan in terms of policing the area.

WALTER SOUSA: From day one that I have the key that's all I have been doing. Every morning at 7:00 when I used to work 7:00, 7:30, I get my paperwork, my deliveries, first thing after the deliveries, the first thing I do is grab a broom and swept in front of my building.

ATTY JAMES RAFFERTY: If you had an opportunity to go back this week, you would

already see the freshly-painted facade, the installation of planters, the planting of flowers and shrubbery into the planters. So I think Mr. --

FIRE CHIEF GERALD REARDON: It didn't go unnoticed, counsel, I did see it.

ATTY JAMES RAFFERTY: No, I -- I mean, I think, as the owner of the real estate, as the owner of the business, as an owner/operator, I think Mr. Sousa has a track record of proper care.

He owns and operates a ten-unit apartment building nearby, and he operates that to a very high level of maintenance as well.

So he's someone who has an experience in managing property and ensuring that it's maintained in good order.

CHAIR ANDREA JACKSON: Do you have any questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No further questions.

CHAIR ANDREA JACKSON: I'm going to open the floor up for public testimony. I'm going to start first with Councilor Toomey.

Did you want to speak?

COUNCILOR TIMOTHY TOOMEY: Good evening. Timothy Toomey, 88 Sixth Street. Thank you for taking me out of turn. I appreciate it.

I'm here tonight to support the transfer of this package license to 1226 Cambridge Street. I think that, first, I want to vouch for Mr. Sousa's character. My history with Mr. Sousa began in 1990, when I was first elected to the Cambridge City Council. I was there a couple months, and I received a phone call about

midnight to let me know that there was a power outage in that neighborhood, that he was there at the business and attending to some of the tenants in the building at the condominium, I think then it was rentals, and to the residents at 1221 Cambridge Street because he was very concerned about the situation with people not having power.

And that was my first introduction to Mr. Sousa. And since then I can attest to his character. Mr. Rafferty just said Mr. Sousa owns a ten-unit apartment building on Fulkerson Street that is rented only to Cambridge housing eligible tenants, and those rents are all below market value because Mr. Sousa believes in the diversity of the city. And it's a city that he grew up in. His family immigrated from Santa Maria, the Azores in Portugal, and has been quite successful.

But he, at the same time, knows how

important is it be a good neighbor, to look out for one another.

You can see him a lot of times -- I'm sure some of the residents at 1221 Cambridge Street that are here, it's a high-rise building across the street with mostly families and working-class individuals, when any time that they're in need, they need a ride somewhere, they need some assistance, Mr. Sousa, without hesitation, will leave whatever he was doing to help those individuals.

And so I think, you know, to attest to the character that he is, he was one of the first to take advantage of the Cambridge Street Facade Program when they renovated the outside of that building. I rode by it today and noticed there's some beautiful plants outside. And he's always kept the front of his buildings, not only on Cambridge Street, but on Fulkerson Street clean

and shoveled from snow, which we're always fighting with owners to make sure that the property is clear so that pedestrians can have safe access.

So I think that Mr. Sousa certainly has proven that he's a family man. His son is going to college. We all know there were difficulties there. I know Mr. Sousa was very personally distressed at what was happening there, and he felt very helpless in trying to make changes with that previous owner.

The previous owner certainly availed himself to all the legal remedies he had, tying that situation up in court for a very long time. I believe it was revoked two-and-a-half years ago, so there's been no income for Mr. Sousa from that property for two and a half years.

And he's now looking forward to regaining, you know, the standing in the

community through the actions of the past owner.

But I certainly think that he's deserving of it, and I think with the residents, there's been overwhelming support.

I personally have received not one objection from anybody in the neighborhood to this.

I certainly have received a lot of calls and comments. I have an elderly gentleman who is here tonight actually walked down 2221 Cambridge Street, the council meeting last night to inform me of this meeting and to ask me to be here to voice support of Mr. Sousa.

So I really do think in the neighborhood, there's a lot of support. I think Mr. Sousa knows the past issues will not be repeated with him there.

He's a condo owner there. He respects the other owners that are in that building, and

he wants to make sure that it's a very livable and accommodating and safe space for everybody.

So I hope that the Board looks favorably on this transfer application to 1226 Cambridge Street.

I have a letter I will also submit to the Board. And any questions?

CHAIR ANDREA JACKSON: No questions?

FIRE CHIEF GERALD REARDON: No questions.

CHAIR ANDREA JACKSON: No questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Thank you.

COUNCILOR TIMOTHY TOOMEY: Thank you for letting me speak out of turn.

CHAIR ANDREA JACKSON: So I think in terms of public testimony, I want to start first with the people standing, and then I'll work my way by rows.

So anyone standing, would you like to provide testimony?

Sure. Please have a seat.

JOHN AZUL: Thank you. My name is John Azul.

CHAIR ANDREA JACKSON: If you could speak up a little bit and spell --

JOHN AZUL: My name is John Azul.

CHAIR ANDREA JACKSON: Spell your first and last name, please?

JOHN AZUL: J-O-H-N A-Z-U-L, and I live at 1221 Cambridge Street. That's the Inman apartment. It's a high-rise building.

I know Mr. Sousa for about around 45 years. He's just -- he's one hell of a guy, okay, he's a community leader, and I mean, what else can Cambridge ask for more. You know, you he's the best there is.

And I know Mr. Sousa when he had the

store before, there were never complaints about it. Everything was fine, and a lot of people say that why another liquor store? You know, okay, I understand that, but, you know, for us on that building that I live, it's probably like 90 percent elderly, okay. That's the closest to us. All we have to do is cross the street.

You know, I don't drink, I'm a recovery alcoholic, so I don't drink. So, but, you know, we need soda, we need cigarettes, whatever -- I mean, snacks. All we have to do, the elderly people, is just cross the street and we have everything we need.

That's one of the reasons that I support Mr. Sousa for being a leader in this city. And I also brought -- I could've brought with me probably 40 or 50 people from the building, but I guess they wouldn't fit in here. So I brought like ten or 12 people with me from the building

and they are willing to speak.

Thank you very much.

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

ERIN HART. Good evening. I have been before you guys before, many years ago. My name is Erin Hart, E-R-I-N H-A-R-T. I'm at 87 Tremont Street. I believe I'm actually probably one of the abutters to that property.

I had expressed some concern last -- maybe a week and a half ago, and I reached out to Mr. Toomey's office. They put me in contact directly with Walter. So I approached Walter and I have had nothing but wonderful interactions with Walter.

There is a need for a higher-end place to get wine, and as he said, craft beer or German imports and things like that that I can't get in my neighborhood. I have to drive all the way

over to Wine & Cheese Cask. I have to go over to Kappy's. I like to spending my money in my neighborhood. You know, it's kind of what Cambridge is about.

So I am in full support of it. I don't have any other things to say. As long as its run appropriately, we don't have any issues like we had last time, or anything like the other liquor story up the corner, Martin Brothers, where I don't feel safe walking into.

So that's all I have to say. I'm in full support.

CHAIR ANDREA JACKSON: Thank you.

Anyone else standing?

Seeing none, I will start at the front row.

STEPHEN HALPERN: Hi. My name is Stephen with a "v", Halpern, H-A-L-P-E-R-N, and I'm here to oppose the transfer of this license. I've

lived at 72 Tremont Street and owned property there since 1980. And during much of that time, including the earlier period, which Mr. Sousa was an operator of Prospect Liquors, we had a continuing problem with alcoholics migrating up the street early in the morning, purchasing nips, and pints, and then walking back down the street being disorderly, discarding the liquor, urinating in alleys, falling asleep on doorsteps and generally being a problem. This problem was true in 1985, '86, '87, '88 right through 'till the Prospect Liquors closed and then it improved. It's not gone, but it improved.

There are still -- I found one the other day -- not every day -- but I found a pint the other day, that I sent you a picture of, across the street from my house. So that's the problem we want to avoid.

This property is within the Cap area.

That's my understanding. The Cap areas were created by this Commission based upon the determination that each of those areas had sufficient supplies of package stores, bars and other -- this is in Addendum D of your regulations -- in order to meet the needs of the community. And as a result, the issuance of a new license was predicated on a very high showing of need and community support.

I think that those standards should also be applied in the transfer of a license, and I don't think there's been a showing of that extraordinary need in this instance.

There's liquor stores up and down Cambridge Street. There are other liquor stores in Central Square, quite a number of them, all of which are easily accessible in short walking distances. There's plenty of public transportation.

The third issue here has to do with the physical location of the property. The property is approximately two stores down from the corner of Prospect Street and Cambridge Street. It's on the south side of the street there.

Because there's no readily available parking, there's been a long history of double parking in front of the store by prospective consumers.

This, because of the congestion on Cambridge Street, has increased the congestion, but it also represents a physical traffic hazard.

As you come up Prospect Street, there's a store on the corner which prevents you from seeing around the corner. So, as you make the turn onto Cambridge Street to go east, and there's double parking, you're immediately confronted with a blocked right lane. If you go around that corner fast, you're in trouble. If

you don't go around the corner quickly, you have to merge into the left lane. And especially at high traffic times, this is a problem.

And I would say during the years that there was a liquor store there, maybe 40 or 50 percent during rush hours and other times, there was double parking. And I have to say I've never seen a ticket given or -- but you know, I'm not there all the time.

So for all those reasons, I think this is an inappropriate use of this particular property and an inappropriate transfer of an all alcohol license.

Thank you for listening.

CHAIR ANDREA JACKSON: Thank you.

ATTY JAMES RAFFERTY: Madam Chair, just a point of information. The Cap policy referred to by the speaker never applies to Section -- applied to Section 15 licenses.

As the Commission knows, they're established by population and quota. The Cap policy was an attempt to address the pouring licenses is under Section 12 for which Cambridge does not abide by the population and control.

The standard recited by the previous speaker also referred to the standard when new pouring licenses are to be issued in a capped district, as the speaker noted, this is a transfer of an existing Section 15 license, so the standard cited here is not at all applicable.

CHAIR ANDREA JACKSON: Next speaker.

SARAH GIBSON: My name is Sarah Gibson, S-A-R-A-H G-I-B-S-O-N. I also live at 73 Tremont Street. I've lived there for about 30 years.

I would echo what Steve said about the problems of people walking up and down the street

that preexisted the sale of the license for Prospect Liquors to Mr. Patel, the former owner.

I am opposed to having a liquor store in this location. I just don't think that the neighborhood needs another liquor store.

I would welcome Mr. Sousa in some other business, a food-related, a bakery, a food-related business like a bakery or a produce store or something like that.

One change in the neighborhood population that I would like to make sure that the Commission considers is that on the corner of Tremont Street and Cambridge Street there's now a daycare center, and so toddlers and parents and caregivers are on the sidewalk in the neighborhood for a significant part of the day either picking kids up, dropping them or taking the kids on trips.

So, in summary, I would just say, like

some others in the neighborhood, I'm very gun shy about having a liquor store at that site again.

Thank you.

CHAIR ANDREA JACKSON: Thank you.

Next person wanting to speak going to the next row behind you.

MANUEL DASILVA: Good evening. My name is Manuel Dasilva, M-A-N-U-E-L, last name, D-A-S-I-L-V-A. I am the owner of Samuel J. Foti Insurance Agents on Cambridge Street, and I'm in support of the transfer of the license, and I'm here speaking again in support of Mr. Sousa. I have known him since he owned the store before, and I understand there were a lot of problems with the previous owner. But knowing Mr. Sousa, I know he will stand to what he stated that he's going to be doing. Again, I'm in support.

THE REPORTER: Chair, I just want to get the spelling of his business.

Sir?

MANUEL DASILVA: Yes.

THE REPORTER: Can you just spell the name of your insurance company?

MANUEL DASILVA: Yes. Samuel, S-A-M-U-E-L, J. Foti, F-O-T-I Insurance Agency.

THE REPORTER: F-O-T-I?

MANUEL DASILVA: Correct.

THE REPORTER: Appreciate it.

DEBBIE MUSNIKOW: Good evening.

CHAIR ANDREA JACKSON: Good evening.

DEBBIE MUSNIKOW: Hi. I'm Debbie, D-E-B-B-I-E, Musnikow, M-U-S-N-I-K-O-W.

I'm president of the Inman Square Business Association, and we, as a business association, are in support of Mr. Sousa and him having the transfer of liquor license to the neighborhood.

Last fall, the business association did

an intercept survey with the CDB and the results found that a high-end liquor store or something like the Wine & Cheese Cask was something that the neighborhood was in favor of having. So that is something that we would like help him bring back to the neighborhood.

CHAIR ANDREA JACKSON: Thank you.

DEBBIE MUSNIKOW: Thank you.

CHAIR ANDREA JACKSON: Anyone else who would like to speak?

JIM STEIN: I'm Jim Stein, S-T-E-I-N. I live at 71 Tremont. I've lived there 15 years. This is not really about Mr. Sousa's character at all. It's really about whether it's necessary or good for the neighborhood to have another liquor store in this neighborhood. And it's essentially a new license and a new -- in this location. I mean, there's just no store there now. So we're talking about adding a license where there is

none.

The closing of Prospect Liquors, as people have said, had a huge positive and created a similar effect on the surrounding neighborhood. The amount of trash and the empty bottles decreased a lot. The numbers of inebriated pedestrians and drunken arguments dropped a lot. Cars and trucks no longer dangerously parked on the corner of Prospect and Cambridge.

As people have said, it has been a great improvement to the neighborhood, and it's clearly visible to everybody who lives on Tremont Street.

There is already one liquor store in Inman Square. There's a no demonstrated need for another, and on the contrary, such a store exists, has been and that includes that the people have said when Mr. Sousa owned the store, it has been detrimental to the surrounding residential neighborhood and is unwelcome, and I

urge you to deny the application.

CHAIR ANDREA JACKSON: Thank you.

JAIME MATEUS: Good evening. I'm Jaime, J-A-I-M-E, last name, M-A-T-E-U-S. I'm also a resident at Tremont Street.

I'm not opposed to opening the liquor store there, but I am concerned and I think especially the sale of nips -- being a resident on Tremont Street, it's almost on a daily basis where I pick up discarded bottles, sometimes nips, sometimes larger bottles. And on several occasions, I have had to tell people to not urinate in various alleyways on Tremont Street with certain words.

So it is a concern. I think if the Commission allows the transfer of the license, I would urge it to consider putting some restrictions, especially around the sale of nips or other such products which, unfortunately,

often tend to attract these types of behaviors.

So I'm not opposed to it, but I have those

concerns. Thank you.

CHAIR ANDREA JACKSON: Thank you.

Good evening.

MARK FRANKLIN: Good evening. My name is

Mark Franklin, M-A-R-K F-R-A-N-K-L-I-N. I live

at 73 Tremont Street.

I would like to second what has been said

by some of my neighbors in opposition to the

establishment of this store.

And I would like to add one idea that has

not been mentioned so far, which is that despite

the high aspirations with which the store would

be reopened by the applicant, economic realities

have a way of forcing outcomes that are not

intended, and here I talk about realities, such

as the one already mentioned, lack of parking.

Another already mentioned, the existence of

liquor stores already on Cambridge Street, one only two blocks away.

And third, the existence of the Wine & Cheese Cask which has been referred to, but not in this context. It's relatively close by. It does have parking, and it will attract, it does attract currently exactly the clientele that's being looked for by this new establishment.

I think the risk is that these economic realities will lead inevitably, as economic realities do, to a use of the liquor store, a customer base for the liquor store that is not anticipated and not hoped for.

And that this will lead us back into a situation that we were so very happy to escape from only a short time ago.

Thank you.

CHAIR ANDREA JACKSON: Thank you.

Good evening.

BRANDON HOCKLE: Madam Chair. My name is
Brandon Hockle, I'm a resident at --

THE REPORTER: Spell your first name and
last name.

BRANDON HOCKLE: B-R-A-N-D-O-N, last name
is H-O-C-K-L-E. Is it all right if I read from a
prepared statement?

Thank you.

So thanks for having us tonight and
listening to the diverse and passionate opinions
that are being shared from the community
regarding a license request for Inman Wine &
Spirits.

No matter what your decision is tonight,
I hope that the Commission is taking notes that
there is not universal community support for the
establishment and the granting of this liquor
license.

Through the emails and voices of

participants in this evening, there's significant concern and opposition to the addition of this establishment in Inman Square.

I'd like to take this time to remind the Commission of what we did together to improve Inman Square community with regards to Prospect Liquors in the same location.

As you may recall, the Prospect Liquors was regularly selling to inebriated individuals. This activity was illegal and exploiting the weaknesses of these individuals and impacting the overall community as well.

But through your leadership and the active participation of the Cambridge Police, we were able to shut down Prospect Liquors, and since then the positive impact on our community has been noticeable and measurable.

Significantly less litter on the streets, much fewer calls to the police for passed-out people

on our front steps.

It was a great investment of time and resources to finally close Prospect Liquors, and as a dad raising a young child in Inman Square, I can't thank the Commission enough to for your previous efforts to address that problem.

Now there's an active push on behalf of the location's long-time landlord, Walter Sousa, to reestablish the sale of liquor at that location. Mr. Sousa has mentioned his frustration of not being able to find a different kind of tenant for his location for over a year, but I should remind everyone that just because a liquor store is an easy tenant to find doesn't mean it is the right tenant especially in the Cap area.

Members of the community met earlier this week with Mr. Sousa and his lawyers to express neighborhood concern and bring up various

explicit requirements for our possible support of a wine and spirits store at that store location.

Unfortunately, he was opposed to having any of those requirements explicitly stated in his liquor license and asked for our trust instead.

Because of the history of this location, we believe that the only option for a wine and spirit store at this location is to have these requirements explicitly tied to the license itself.

In particular, here are the restrictions we requested. 1, no sale of nips of any kind or any single serving alcoholic beverages; a 10:00 a.m. or a later start time to coincide with the hours of the Wine & Cheese Cask, which is the store that he's facing -- modeling this business on.

Note that Mr. Sousa makes reference to

mainly keep the same hours as Martin Brothers Liquors around the corner. But if he truly intends to have a higher-end clientele, competing with Martin Brothers should not be a concern nor should he need to sell alcohol at 9:00 and 10:00 in the morning.

10:00 p.m. close time on weeknights, 11:00 p.m. on weekends, again matching the hours of the Wine & Cheese Cask, who has a similar upscale clientele that he claims to want to serve.

4, and this was disconcerting. One of the gentlemen that was referenced as a potential employee of the new establishment was a previous employer of Mr. Patel at Prospect Liquor, so we requested no employment be granted for any previous employee of Prospect Liquor.

And, 5, that no customers are allowed in the storage areas or basement, which had been

used as private drinking rooms previously.

Police had been called in order to break up drinking on premises in those locations.

Because of the history of this location, and the unfortunate proximity of the shelters and the recycling center, and a vulnerable and previously exploited clientele, it's hard to imagine the Licensing Board allowing this transfer to take place at this time at this location.

Mr. Sousa has support from a small handful of individuals he brought to his open house. However, it's hard to take seriously their concern that they have to go one block to get to Martin Brothers for their alcohol, when there is no store for fresh milk, fruit, bread, within several blocks of this location. So how is alcohol the primarily unmet need in this area?

It also should be noted the majority of the support seems to come again from those of little or no material responsibility for the actual cleanup of trash that this establishment generates again.

Finally, I ask the Commission to remember the great positive results their wise decision to close Prospect Liquors has had on the residents of Inman Square. Because of this improvement, a daycare has now been able to open on the same block of Inman Square.

Can any of you imagine this happening in the Prospect Liquors days? I doubt it.

And do we want to have a liquor store on the same block as a daycare if we don't have to?

Adding another liquor store into our community, especially one without restriction, threatens all the positive results we have been making to Inman Square.

So, I ask you to please join with me and others in keeping Inman someplace safe and enjoyable to live and raise our families.

For these and many other reasons, we implore the Commission to deny transfer at this time.

CHAIR ANDREA JACKSON: Thank you.

MARY HIGGINS: I'm Mary Higgins.

THE REPORTER: Mary, spell your name.

MARY HIGGINS: M-A-R-Y H-I-G-G-I-N-S.

I live at 1221 Cambridge Street, which is across the street from Mr. Sousa's store that he wants to open. They keep referring to it as a liquor store when it's a wine -- beer and wine and cheese store.

A lot of these people that are against this live on Tremont Street, which is at least a block and a half away from Mr. Sousa's store that he wants to open.

They should be worrying about Martin Brothers Liquor Store that's on -- closer to them where the nips are found on the street and the people are -- the homeless people, are guzzling down the cheap stuff that they sell in that store.

I have known Mr. Sousa a lot of years. I knew him when he ran Prospect Liquor Store and he ran it very well, and I don't think he should be penalized for the previous owner that did not run that liquor store right.

And so, I support him and so doesn't everyone else at 1221 and the whole area, mostly the whole area that -- where the cheese and wine store will be.

CHAIR ANDREA JACKSON: You will be serving hard alcohol, is that correct?

ATTY JAMES RAFFERTY: Yes.

CHAIR ANDREA JACKSON: Okay, I just want

you to understand that alcohol will be served in addition to just beer and wine.

ATTY JAMES RAFFERTY: Sold.

CHAIR ANDREA JACKSON: Sold, sorry. Not served, sold.

MARY HIGGINS: It's not going to be a liquor store like Martin Brothers. And there's a lot of homeless people in Cambridge and that's nobody's fault. You know, that's just the way it is on Cambridge Street. And that's not his fault. That's not our fault. That's nobody's fault.

CHAIR ANDREA JACKSON: Okay. Thank you.

MARY HIGGINS: Thanks.

PIERRE LUBENEC: Good evening, ladies and gentlemen.

CHAIR ANDREA JACKSON: Good evening.

PIERRE LUBENEC: My name is Pierre,
P-I-E-R-R-E, Lubenec, L-U-B-E-N-E-C.

And I am hear to talk in favor of having Mr. Sousa open that liquor store.

One of the reasonings, which has been told about by prior speakers, was that if you want good wine, you can go to the Wine & Cheese Cask, which is in Somerville. And they have actually a parking lot there, but if you don't have a car, what is the use of the parking lot?

And another customer saying that, you know, you could go to Central Square to get wine, if you want wine, and how do you go to Central Square if you don't have a car?

So, my question is, if I want to have on occasion from time to time, a bottle of good wine and I cannot go the Cheese Cask, I would like to see Mr. Sousa have a store there and be able to get a bottle of good wine.

Thank you.

CHAIR ANDREA JACKSON: Thank you.

DONNA KELLY: Hi. My name is Donna Kelly.

THE REPORTER: Spell it.

DONNA KELLY: K-E-L-L-Y. And I live at 1221 Cambridge Street, which is directly across from Prospect Liquor. I was the occupancy manager in that building from December of 1985 until May 31st, 2014 when I retired.

I've also lived there since June 1st, 1990, continue to live there now and hopefully until I'm gone, and I'm directly across the street.

So I know the issues that were over at Prospect Liquors. I also know the difference from when Walter had the store and we didn't have those issues.

I also put grandchildren on those buses in the morning to take them to school.

My staff was responsible for cleaning up

liquor bottles and nip bottles, the same as anybody on Tremont Street. And also I have witnessed tickets being given out, not only by the meter maids, but by the police officers if anybody double parked. And take note, that there's now bike lanes there. You can't even come down the bike lane to take a turn, never mind double park.

So, I don't see all of these new issues, you know, just because somebody else is opening a liquor store. I also can't see where anybody is -- the clientele that we've had an issue with, but it's everywhere in Cambridge that you have the homeless and you have alcoholics and you have drug addicts. You know, I mean, it's there. It has been there. I can't see them walking into Walter's and paying high end for a nip that they can go a few feet down and get it for cheap money. I don't see it attracting that clientele.

And I will say that Walter is a man of his word. Any time you needed to go over and talk to Walter, he was there and he responded, he talks to people in the community, he communicates, he looks to see if there's any issues. I'm just kinda baffled that a family man is trying to make a living for himself and do something with his own property and, you know, people are coming out against him. I just don't -- I just don't get it.

CHAIR ANDREA JACKSON: Okay. Thank you.

JEANNE GARRISON: Hi. My name is Jeanne Garrison, J-E-A-N-N-E, Garrison, G-A-R-R-I-S-O-N. I live at 71 Tremont and have since over the last 15, 16 years.

I am opposed to the transfer of the license to this location.

I have no doubt that Mr. Sousa's a fine person. I don't think his character is the

issue, and I don't think plants on the sidewalk are the issue. I think the issue is, you know, what happens at that corner when there are liquor sales.

I'm sorry that my neighbor's afraid to walk into Martin Brothers, I could escort her sometime if she was feeling really desperate, but we already do have a liquor store. It is not what you call a high-end liquor store, but it's perfectly possible to buy wine, beer and various kinds of hard liquor, also milk, also orange juice, also whatever. So it does serve a community function already.

I think that, for me, a lot of what I'm concerned about is the -- there was not such a dramatic shift from the time that Mr. Sousa was the owner up until 2005. A lot of the same problems that led to the closing, not all of them, but a lot of the same problems that led to

the closing of the previous licensee already existed. And it's simply because it's the nature of the business. If you sell alcohol, you're in the alcohol selling business, and while that's a legitimate business and people have a right to have that business, you can't deny that there are problems associated with it.

And I would like to ask that this license be conditioned -- I don't know if it's possible. Maybe someone on the Commission could answer it. Is it possible to pick and choose amongst the products that somebody can sell? I mean, can you say that you can sell wine, but not cheap wine? Can you say you can sell alcohol, but not nips? Can you say you can sell German imported beer, but not Matty Light?

I mean, is there -- is it possible for the Commission even to establish a condition for no nips? If it is, I would like you to seriously

consider it if this is going to be a high-end business.

I also would seriously like the Commission to consider a later opening time. Again, I think people who are looking for -- the notion "high end" has been floated a lot. People looking for the high-end product probably don't need it at 9:00 in the morning. So I don't think it would be any hardship given the type of clientele that Mr. Sousa wishes to attract to have a later opening time.

There have been changes in the neighborhood. Positive ones. I don't like to see a storefront empty in Inman Square either, but there have been really positive changes without the liquor business on that corner, and there have been changes in other respects in the neighborhood in that when we first moved to Tremont Street, there were hardly any young

families, now there's a lot of young families with young kids and there is now the Montessori School on the corner. I think the neighborhood is changing. I'm just not sure that the liquor business at that location, high end or not, is advisable given the changes that have already occurred.

Thank you.

CHAIR ANDREA JACKSON: Thank you.

Is there anyone else that would like to speak?

UNIDENTIFIED AUDIENCE MEMBER: Could the Commission answer her questions perhaps?

CHAIR ANDREA JACKSON: We'll get back -- yes, we will get back to that.

Is there anyone else that would like to be heard?

Okay. Seeing none, so, counsel, Mr. Sousa, you've heard a lot, both in support

and in opposition.

I would like to give you an opportunity to respond to some of the concerns raised by the neighbors.

ATTY JAMES RAFFERTY: Certainly. Well, for better or for worse, the Commission has experience with alcohol sales at this location, and I would say the Commission would be well served to review the disciplinary records of the two prior operators.

The suggestion that the conditions under Mr. Sousa's ownership were similar to the prior owner is not at all borne out by the disciplinary history of the two operations.

I'm not sure how many of the speakers intended it as a criticism, but as the Commission knows, fitness and character are relevant considerations for the License Commission when evaluating the application of a licensee. It's

for that reason that personal information, criminal backgrounds, other types of information are vetted by the Commission. So it's not merely a case of he's a nice guy or he's a popular guy, but his standing in the community, his reputation for truthfulness and honesty are relevant factors for the Commission to consider in any application.

I would suggest the prior applicant had issues -- had credibility issues with the Commission. The history there was he was continuously told to restrict sales and he violated that. It wasn't merely a case of an operation that was negligent. We know revocation occurs, it's the most extreme form of sanction the Commission has available to them -- has available to it.

And in that case that licensee proved himself not fit to hold that license, and the

Commission acted appropriately. The ABCC upheld the Commission's action.

In this case, we are talking about a package store license, and there are plenty of examples of package stores in neighborhoods that do not conflict with residential uses.

And we can cite plenty of those locations, and the suggestion that because there are problems with the prior operator should be visited upon this licensee is, I would say, not persuasive.

Interesting that some of the testimony of residents on Tremont Street talked about conditions that exist today more than two years after that location wasn't operating.

So the suggestion is that if there are a problems with a certain segment of the population, the area around Inman Square, they require attention independent of what happens at

this location.

I think Mr. Sousa's track record and the use of the location as a licensed premise is highly relevant, and I think in this case, it's not just the testimony of people who came out this evening. We have a petition by nearly 100 residents who support this use. And I would say that the Commission has ample ability within the conditions empowered within its authority, as well as your opportunity to review ongoing operations.

It's not a case where if situations developed and complaints persisted that the Commission could not address them.

I would say in this case that while it is true that there was testimony -- and by my count, it was fairly even -- but there were a number of people from the same building, from the same address and from the same areas on Tremont Street

that obviously have reservations, outright opposition to this, and do not want to see a return to the prior problems.

And I don't think it would be inconsistent for the Commission to conclude that that is a shared objective here. That's certainly Mr. Sousa's intention. So no one wants to see those days return, but it has been noted by many speakers, and to prevent Mr. Sousa from being able to operate this licensed establishment responsibly, based upon the prior conduct of an earlier operator, I think it's unfair. I think he meets the character test. I think he deserves an opportunity to demonstrate that he can return the store to operation, and I think there are ample models of well-run package stores throughout Cambridge that this use can demonstrate is not incompatible, and the tools the Commission has around timing and restriction

of product and restriction of the time and sale of product, I would think are all ways in which safeguards could be put in place in approving a transfer of this license.

CHAIR ANDREA JACKSON: I'll ask the question that was posed to the Board in terms of can the Board dictate a brand of alcohol sold? My position is, no, we can't dictate what somebody sells. I mean, that's an individual choice, and I don't see that within the purview of the Board, nor would I want it to be in terms of trying decide what you should or should not sell.

I think as it relates to the sale of nips, I don't think the Board has ever taken the position that sellers cannot sell nips -- a store cannot sell nips. I think, if anything, just from having the investigators go out and take a quick look, I think, if anything, most of the

stores have taken the position that nips are behind the counter, either on the counter or behind the counter, and if they're on the counter, there's some type of Plexiglas around them so that you have to ask for them. It's just that you can't reach in and grab it.

But I think maybe as a whole, maybe it's something that the Board should look at in terms of a policy on nips. I just don't think tonight is the night to do that. But I do think maybe in the future it's something that we should think about as we look at updating our rules and regulations.

I don't know if you have any comments as it relates to that or you?

FIRE CHIEF GERALD REARDON: I think my comments are similar to Mr. Sousa's and counsel's earlier on.

CHAIR ANDREA JACKSON: As it relates to

some of the concerns that we heard in regards to traffic that's been at the location, I guess if anything is approved tonight, we can certainly talk to Traffic & Parking and perhaps your department in terms of enforcement.

POLICE COMMISSIONER ROBERT HAAS: What is your client's position with respect to adjustment to the hours? I know you mentioned 9:00 already. I'm wondering how impact does he believe it has in delaying that opening until 10:00?

ATTY JAMES RAFFERTY: Well, it would be problematic, and it would be -- the ability to operate the store at that hour, I think he's stated, we would take a restriction on the sale of nips prior to 11:00 a.m., but the 9:00 hour is one hour later than Whole Foods sells alcohol, it's one hour later than Central Bottle might sell alcohol.

The policy that was encouraged a few

years ago within Central Square was to institute a 9:00 a.m. opening. We'd ask for at least the opportunity to demonstrate that a 9:00 a.m. does address that.

There is a customer base that makes purchases in the morning, and not for immediate consumption, but we're talking about people who are on their way in some cases to work or want to bring something and have it available when they come home. It would be -- it would represent a hardship, and it's a business. I mean, it's a business that relies on the ability to sell product to succeed.

So losing an hour every day would be problematic. The offer of 9:00 a.m. was specifically intended to address that concern.

POLICE COMMISSIONER ROBERT HAAS: Would your client be willing to share with the Commission at some point just the record of sales

between 9:00 and 10:00 just so we can gauge -- know how much an impact it would be. In other words, keep track of where that sales period is from 9:00 to 10:00 maybe, but, say, in a six-month review or something like that.

ATTY JAMES RAFFERTY: I imagine he would have the ability to track sales. I would only caution that what that -- what inferences can be derived from that might be beyond just the simple sale itself, but I think if that were a Commission -- if that was a request or a condition, we would voluntarily agree that we would provide data. In fact, I would say the comparable analysis should be whether there was any demonstrated problem of sales at the location between 9:00 and 10:00 a.m. during the relevant same hour period.

POLICE COMMISSIONER ROBERT HAAS: I think there's other issues we would have to take into

consideration. I am curious, though, as to what the impact would be for it. But I also think there would be close scrutiny, if the application was granted in terms of making sure we didn't see some of the situations that had developed because of the hour or the opening revisiting that store.

ATTY JAMES RAFFERTY: Understood.

Understood. I mean, part of the reason -- I mean, employees are in the store, they're stocking the store, they're available, they accept deliveries, there's activity associated with these stores that occur in the early morning around delivery. So if you're paying an employee to be there, and you have to have the store open to accept deliveries, to have that employee there and not being able to engage in sales, even modest sales during that hour, dovetails with other responsibilities associated with the

operation in the business.

I mean, I would say to the Commission it's a perfectly reasonable request to -- for him to monitor that. I'm guessing with computerized sales, he could do that.

CHAIR ANDREA JACKSON: Do you have any further questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Do you have any further questions?

FIRE CHIEF GERALD REARDON: I do not.

CHAIR ANDREA JACKSON: I think there was one other comment that was made in terms of proposed restrictions, and one of the comments was no previous employees from Prospect. I don't see that within the purview of the Board to dictate who can and cannot be hired. But I would suggest that all employees are subject to the

same rules and regulations.

ATTY JAMES RAFFERTY: I would quite agree, and I also think the Chair's caution on that is appropriate. It would seem perhaps unfair to exclude someone from an opportunity of employment, certainly if the person had a -- had something they were found to be in violation of sales, but this is the first I heard of this. I'm not aware that that is the plan.

POLICE COMMISSIONER ROBERT HAAS: I mean, I think at the end the day, I think the owner and operator of the holder of the license is ultimately responsible for all his employees.

ATTY JAMES RAFFERTY: No question.

POLICE COMMISSIONER ROBERT HAAS: And so, you know, the notion that an owner/operator would come in here and blame his employee for the sale is not really not acceptable to the Commission, that really he has to take full responsibility in

terms of who he employs, the character of the people hes' employing, and the fact that there are problems, we expect him to take corrective action immediately and not wait for the Commission to have to respond to a series of complaints, for example, underage sale or other sales by employees. And we've heard complaints before or testimony by an owner saying, "Well, it's my employee's fault. It wasn't fault."

So I think that -- and I think Mr. Sousa is well aware of the fact he has full responsibility of the operation of the store and who works for him.

ATTY JAMES RAFFERTY: Right. And I think that only supports the Chair's ruling that it's within the purview and obligation and responsibility to supervise and to hire qualified people and supervise them.

I also think -- the record reflects a

level of build-out here, and I mean, I think one has to be -- choose their words carefully, but there are locations based upon their surroundings and the manner in which they merchandise, sell alcohol, the condition of the premises, that are made to feel welcoming of certain segments of the population, and I think that "high end" and "gentrification" are not words that warmly embrace typically in Cambridge.

I have found it interesting for people to say the neighborhood has changed. Families are on Tremont Street. I've lived in Cambridge all my life. There have been lots of families in Tremont Street. Those families went away for a period of time. It's true that they're returning and I think that's a great thing.

But Inman Square and all of East Cambridge, and no one knows it better than Mr. Toomey and Mr. Sousa who grew up there, it's

a very family-oriented environment, and I think there's lots of evidence where well-run Section 12 licensees can exist harmoniously in a residential neighborhood -- I meant Section 15, Section 12 as well, but particularly Section 15.

CHAIR ANDREA JACKSON: We heard lots of testimony tonight. I'm taking an opportunity to review my notes and making sure I'm looking at everybody's concerns.

Any questions?

POLICE COMMISSIONER ROBERT HAAS: No questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No questions.

CHAIR ANDREA JACKSON: I'm prepared to make a motion to approve the transfer of the seven days all alcohol package store license with the change of location from 56 JFK Street to 1226 Cambridge Street about the hours of 9:00 to 11:00

Monday through Saturday.

You said for the permitted hours for Sundays, exactly what hour are you looking to start at on Sunday?

ATTY JAMES RAFFERTY: I was trying to recall whether it's 11:00 or 12:00 noon start on Sundays.

WALTER SOUSA: It was 12:00, now it's 10:00.

EXECUTIVE DIRECTOR ELIZABETH LINT: 10:00.

ATTY JAMES RAFFERTY: But on Sundays you would be fine with noon?

CHAIR ANDREA JACKSON: With a noon opening on Sunday, 6:00 close.

Any nips must be behind the counter, not on the counter and not readily accessible. You must attend 21 Proof training as well. Any and all employees will have to attend 22 Proof

training. The License Commission will need to send a copy of the letter with concerns expressed to Traffic & Parking so at least that way if there were concerns about parking and traffic, et cetera, they're aware, and nips sales will not take place before 11:00 a.m., Monday through Saturday.

POLICE COMMISSIONER ROBERT HAAS: And Sunday.

CHAIR ANDREA JACKSON: Sunday, they don't open until noon.

POLICE COMMISSIONER ROBERT HAAS: Okay.

CHAIR ANDREA JACKSON: And a review by the License Commission in six months from the date of opening.

POLICE COMMISSIONER ROBERT HAAS: What is your anticipated date of opening?

WALTER SOUSA: Probably August.

POLICE COMMISSIONER ROBERT HAAS: August.

WALTER SOUSA: Well, depending on ABCC.

CHAIR ANDREA JACKSON: Renovations are all done to the building?

ATTY JAMES RAFFERTY: No.

POLICE COMMISSIONER ROBERT HAAS: So I'm figuring with construction.

ATTY JAMES RAFFERTY: What is timeline of the renovation putting aside the -- would you begin the renovations before you heard from the ABCC? I mean, I think the advice and benefit were approved here, there might be a willingness. It's allowed use, so he could get a building permit and begin. It's a fairly generic build-out.

What would you think it will take you, two months?

WALTER SOUSA: Two months.

CHAIR ANDREA JACKSON: Again, a review in six months from the date of opening. So a

motion's been made.

Is there a second?

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: Your application is approved.

I want to state, especially to the people sitting here and listening, that I will talk to my investigators, we have two investigators on staff, and ask them to continue to monitor the area. If there are issues in terms of any bottles, feel free to email in and let us know. And then we can work with the Police Department as well.

POLICE COMMISSIONER ROBERT HAAS: We'll do regulated sixes, directed patrol, just

initially to make sure that -- and for two reasons, 1, to make sure things are fine, but also to dissuade the kind of activities that most of the residents are concerned about.

ATTY JAMES RAFFERTY: I'm sorry, what was that?

POLICE COMMISSIONER ROBERT HAAS:
Dissuade both of activities that --

ATTY JAMES RAFFERTY: No, the earlier --

POLICE COMMISSIONER ROBERT HAAS:
Directed patrol, so officers will swing by there.

ATTY JAMES RAFFERTY: I want to assure the Commission that Mr. Sousa has a vested interest in the neighborhood, a longstanding interest, and I have little concern that he will abide by these restrictions and prove himself to be a responsible operator, and if there are other measures that he feels would benefit the neighborhood, I'm sure the dialogue can continue.

As I said, he reached out and did an extensive amount of outreach on his own to try to address that.

Thank you very much.

CHAIR ANDREA JACKSON: Thank you.

No other matters?

EXECUTIVE DIRECTOR ELIZABETH LINT: No other matters.

CHAIR ANDREA JACKSON: I make a motion adjourn.

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

(Whereupon, the License Commission

hearing adjourned at 9:12 p.m.)

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

| | | | |
|-------|-------|---------|-------|
| _____ | _____ | CHANGE: | _____ |
| | | REASON: | _____ |
| _____ | _____ | CHANGE: | _____ |
| | | REASON: | _____ |
| _____ | _____ | CHANGE: | _____ |
| | | REASON: | _____ |
| _____ | _____ | CHANGE: | _____ |
| | | REASON: | _____ |
| _____ | _____ | CHANGE: | _____ |
| | | REASON: | _____ |
| _____ | _____ | CHANGE: | _____ |
| | | REASON: | _____ |

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, a Notary Public in and
for the Commonwealth of Massachusetts, do hereby
certify:

That the hearing herein before set forth
is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set
my hand this 19th day of June, 2015.

Jill Kourafas
Certified Shorthand Reporter
License No. 14903
Notary Public

THE FOREGOING CERTIFICATION OF THIS TRANSCRIPT
DOES NOT APPLY TO ANY REPRODUCTION OF THE SAME IN
ANY RESPECT UNLESS UNDER THE DIRECT CONTROL AND/OR
DIRECTION OF THE CERTIFYING REPORTER