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COMMONWEALTH OF MASSACHUSETTS
CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION GENERAL HEARINGS

Gerald Reardon, Fire Chief
Christopher J. Burke, Superintendent

STAFF:

Elizabeth Y. Lint, Executive Officer

-- held at --

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

Tuesday, November 9, 2010

6:10 p.m.

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P R O C E E D I N G S

ELIZABETH LINT: License Commission
general hearing, Tuesday November 9, 2010.
It's 6:15 p.m. We're in the Michael J.
Lombardi Municipal Building, 831 Mass. Ave.
basement conference room. Before you are the
Commissioners, Commissioner Robert Haas and
Chief Gerald Reardon.

First matter is the application of
Zavoo, Incorporated doing business as
EV00/Za. Steven Kurland, manager, holder of
all alcoholic beverages as a restaurant
license and entertainment license at 350
Third Street has applied for a change of
premises description to add an additional
dining room and an increase of capacity from
172 inside seats to 227 inside seats.

ATTORNEY JAMES RAFFERTY: Good
evening, Commissioners. For the record, my
name is James Rafferty. I'm an attorney with
the law firm of Adams and Rafferty located at

1 130 Bishop Allen Drive appearing this evening
2 on behalf of the licensee. And seated to my
3 right is Mr. Kurland. Mr. Kurland is the
4 manager of record.

5 The Commission may recall it was
6 approximately a year ago that the Commission
7 granted a license at this location. This
8 location is on the lower end of Third Street
9 near Broadway on the ground floor of a large
10 multi-family residential building. EV00 and
11 Za have proven to be very popular
12 establishments and they opened in March of
13 this year. And one of the only criticisms
14 they received is that they're not able to
15 accommodate the demand for patrons. So an
16 opportunity has presented itself where
17 there's space that abuts the existing
18 restaurant that can accommodate an additional
19 dining room. So the application this evening
20 is a proposal to change the premises to allow
21 for the creation of an additional dining room

1 that's on the far right-hand side of the
2 proposed plan. The dining room will result
3 in 55 additional seats, bringing the total
4 capacity of the restaurant to 227 inside
5 seats.

6 The balance of the restaurant is
7 unchanged both in terms of the bars, the
8 stools and everything else. The outside
9 seating is all the same. This is just a room
10 that -- the building is a new construction.
11 This space has not previously been used, and
12 as a result of a negotiation between the
13 landlord and the licensee, this opportunity
14 has presented itself. So the licensee would
15 be spending a few dollars to build out the
16 space and expand primarily the dining room of
17 EV00, although it could be used as swing
18 space to accommodate some dining for Za as
19 well.

20 Za and EV00 you might recall are a bit
21 of a split concept. Za to the left of the

1 restaurant, a more casual pizza-oriented
2 restaurant. EV00 a little more fine dining.
3 But all operated under as a single entity,
4 and it really has proven to be great success
5 and enjoys great support in the neighborhood
6 and has really been an added attraction to
7 that corner of Kendall Square. Particularly
8 since the new Broad Canal Walkway has been
9 put in place, and the development across the
10 street, 500 new units at the Extel Building
11 and a couple hundred residential units in
12 this building. It's very consistent with the
13 city's urban design objective for Kendall
14 Square.

15 GERALD REARDON: Is this the only
16 restaurant in the city right now that EV00
17 operates?

18 ATTORNEY JAMES RAFFERTY: Yes, it
19 is.

20 GERALD REARDON: Now, is there a
21 connection on the one in Arlington too?

1 STEVEN KURLAND: Yes, that's the
2 other one.

3 GERALD REARDON: And this was
4 originally on Beacon Street?

5 ATTORNEY JAMES RAFFERTY: EV00 was
6 on Beacon Street in Somerville and relocated
7 as part of this process.

8 GERALD REARDON: Into Cambridge.
9 Good move.

10 ATTORNEY JAMES RAFFERTY: Yes, yes.
11 Definitely a sign of prudent investing on the
12 part of --

13 GERALD REARDON: So obviously this
14 is unbuilt space so obviously it will be
15 outfitted and the fire and sprinkler systems
16 will be combined into one unified system, it
17 won't be a split system type?

18 STEVEN KURLAND: Correct.

19 ROBERT C. HAAS: So, on your plan
20 you say you have 159 existing seats. So
21 where would the other --

1 ATTORNEY JAMES RAFFERTY: We have --
2 I'm sorry, I missed the question.

3 ROBERT C. HAAS: On the plan it says
4 159 existing seats.

5 ATTORNEY JAMES RAFFERTY: Right.

6 ROBERT C. HAAS: And you're adding
7 55 seats which brings you up to 214 seats
8 according to the plan.

9 ATTORNEY JAMES RAFFERTY: Right.
10 The 159 failed to accommodate for the stools.
11 So it's actually 172.

12 ROBERT C. HAAS: Okay, I see
13 counting the stools.

14 ATTORNEY JAMES RAFFERTY: Yes.

15 ROBERT C. HAAS: And it's this whole
16 area that's going to be the proposed and
17 increased area?

18 ATTORNEY JAMES RAFFERTY: Yes.

19 STEVEN KURLAND: Correct.

20 ROBERT C. HAAS: Are these bathroom
21 facilities back here?

1 STEVEN KURLAND: That is an added
2 bathroom.

3 ROBERT C. HAAS: Okay.

4 ATTORNEY JAMES RAFFERTY: That's a
5 bathroom. Two bathrooms?

6 STEVEN KURLAND: Immediately behind
7 the tables is a bath. And in the back what
8 we've basically done is pushed the office
9 over so the office is in that top right
10 corner or bottom left depending on how you
11 look at the plans.

12 ROBERT C. HAAS: So where are the
13 bathroom facilities now?

14 ATTORNEY JAMES RAFFERTY: See the M
15 and W?

16 ROBERT C. HAAS: Okay, over here?

17 ATTORNEY JAMES RAFFERTY: Over
18 there.

19 ROBERT C. HAAS: So these will
20 remain and then you're going to add this one
21 over here.

1 STEVEN KURLAND: Yes.

2 GERALD REARDON: Kitchen facilities
3 all stay the same? You should be able to
4 serve the additional with the same facilities
5 you have now?

6 STEVEN KURLAND: Yes.

7 ROBERT C. HAAS: Is this going to be
8 primarily a function room or are you planning
9 to use this as a full-time dining room?

10 STEVEN KURLAND: It will be
11 primarily a function room. We're getting a
12 lot of request. And in the middle of the
13 diagram you see another function room.

14 ROBERT C. HAAS: Yes.

15 STEVEN KURLAND: That's basically
16 not enough. But we will use it certainly for
17 overflow dining as well.

18 ROBERT C. HAAS: Okay.

19 And your proposed opening if you get
20 the permit?

21 STEVEN KURLAND: Depending on the

1 permit and everything, it's going to be right
2 around the end of the year, beginning of next
3 year.

4 ROBERT C. HAAS: That soon?

5 STEVEN KURLAND: Mid-December or
6 late January -- or early January.

7 GERALD REARDON: Mrs. Lint, all the
8 paperwork?

9 ELIZABETH LINT: All the paperwork
10 is in. I also have a letter of support from
11 Councilor Toomey. He says: EV00 and Za
12 have been become an anchor location as
13 Kendall Square continues to expand on its
14 retail successes. And increase in capacity
15 at this location will continue to help the
16 retail atmosphere in the neighborhood and
17 help EV00 and Za continue their success.

18 GERALD REARDON: Anyone from the
19 public wish to be heard on this application?

20 (No response).

21 GERALD REARDON: I see none.

1 ROBERT C. HAAS: I make a motion to
2 approve the proposed additional seating.

3 GERALD REARDON: I'll second that.
4 All in favor?

5 ROBERT C. HAAS: Aye.

6 GERALD REARDON: Aye.

7 ATTORNEY JAMES RAFFERTY: Thank you
8 very much.

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1 ELIZABETH LINT: Appl i cati on Dogma
2 Restaurant Group, LLC doi ng busi ness as Dogma
3 Restaurant, Scott Cooper manager, holder of
4 an all alcoholic beverages as a restaurant
5 License, not yet issued, at 4 Cambridge
6 Center has applied for a change of d/b/a from
7 Dogma Restaurant to Meadhall .

8 GERALD REARDON: Good eveni ng. For
9 the record, gi ve your name.

10 JACK KINALI: My name is Jack Ki nali
11 (phonetic) I'm one of the partners.

12 SCOTT COOPER: Scott Cooper, one of
13 the partners.

14 GERALD REARDON: Okay. And you just
15 want to expl ai n the purpose here toni ght.

16 SCOTT COOPER: Yes, sure. The
17 purpose is just to change our name, our
18 operati ng name from Dogma Restaurant to
19 Meadhall which we thi nk better sui ts, you
20 know, the theme that we're going for at the
21 restaurant, servi ng our customers.

1 GERALD REARDON: So is there a
2 consti tutional change of offi cers or
3 busi ness --

4 JACK KIN ALI : No.

5 SCOTT COOPER: No, nothi ng. Just a
6 name change.

7 JACK KIN AL: Dogma stays the legal
8 name. There' s no change at all .

9 GERALD REARDON: Change of manager
10 and ownershi p is the same?

11 SCOTT COOPER: The same.

12 JACK KIN ALI : The same. Just the
13 d/b/a change that' s all .

14 GERALD REARDON: Is there a change
15 of menu?

16 JACK KIN ALI : No, concept stays the
17 same.

18 GERALD REARDON: No i nteri or
19 renovati ons or maj or --

20 JACK KIN AL: No.

21 ROBERT C. HAAS: When' s your

1 anti ci pated openi ng date?

2 SCOTT COOPER: Three weeks.

3 GERALD REARDON: Ms. Li nt, any
4 i ssues on paperwork?

5 ELI ZABETH LI NT: No.

6 GERALD REARDON: So the footprint,
7 number of seats are all the same?

8 SCOTT COOPER: All the same.

9 JACK KI NALI : Yes.

10 ROBERT C. HAAS: I make a moti on to
11 approve.

12 GERALD REARDON: Second.

13 ROBERT C. HAAS: All i n favor?

14 GERALD REARDON: Aye.

15 ROBERT C. HAAS: Aye.

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1 ELIZABETH LINT: Appl i cati on Ri ta' s
2 Enterpri ses doi ng busi ness as Ri ta' s
3 Cateri ng, Dani el Gi l more, manager, has
4 appl i ed for a common victual er l i cense to be
5 exerci sed at 200 Si dney Street. Sai d l i cense
6 i f granted woul d al low food and non-alcohol i c
7 beverages to be sol d, served and consumed on
8 sai d premi ses wi th a sei ti ng capaci ty of 110.
9 The hours of operati on woul d be 7: 30 a. m. to
10 3: 00 p. m. Monday through Fri day.

11 GERALD REARDON: Good eveni ng. Gi ve
12 your name or the record and your posi ti on.

13 PAUL ROSSI: Paul Ross, Presi dent of
14 the company.

15 GERALD REARDON: And i f you can j ust
16 gi ve us a bri ef overvi ew?

17 PAUL ROSSI: Sure, thi s i s the
18 cafeteri a for Vertex Pharmaceuti cal s at 200
19 Si dney Street and 88 Si dney Street. I t was
20 previ ousl y run by Sodexho Corporati on and
21 wi th a new manager, company that they hi red

1 to manage the cafeteria.

2 GERALD REARDON: So you're taking
3 over the contract to manage the existing
4 facility?

5 PAUL ROSSI: Yes, that's correct.

6 GERALD REARDON: And the number of
7 seats at both locations?

8 PAUL ROSSI: 110 I believe.

9 GERALD REARDON: Right, but they are
10 the same as they were previously with the
11 previous contractor.

12 PAUL ROSSI: That's correct, yes,
13 yes. And we've since filed that with the
14 Building Department. It's stamped and
15 approved.

16 ROBERT C. HAAS: Are you running
17 operations anywhere else?

18 PAUL ROSSI: We also run Novartis
19 facility.

20 ROBERT C. HAAS: Okay.

21 GERALD REARDON: That's at 350 Mass?

1 PAUL ROSSI: 250. That's it for the
2 City of Cambridge.

3 ROBERT C. HAAS: How long have you
4 been doing that for?

5 PAUL ROSSI: Novartis?

6 ROBERT C. HAAS: Yes.

7 PAUL ROSSI: Since last August of
8 '09.

9 GERALD REARDON: So you have enough
10 staff to covering these now or would you be
11 re-hiring and ramping up to do all --

12 PAUL ROSSI: We're fully staffed.

13 GERALD REARDON: Do you believe you
14 can cover these locations with the present
15 staff you have?

16 PAUL ROSSI: No, we added additional
17 staff.

18 GERALD REARDON: All right.

19 PAUL ROSSI: We added additional
20 staff. We have a whole crew there.

21 ROBERT C. HAAS: Will this be open

1 to general public or just the corporation?

2 PAUL ROSSI: Just the corporation.

3 ELIZABETH LINT: Actually they
4 didn't announce the second one.

5 GERALD REARDON: Yes, probably.
6 We'll do them both at once.

7 ELIZABETH LINT: Application Rita's
8 enterprises, Incorporated doing business as
9 Rita's Catering, Daniel Gilmore, manager, has
10 applied for a common victualer license to be
11 exercised at 88 Sidney Street. Said license
12 if granted would allow food and non-alcoholic
13 beverages to be sold, served, and consumed on
14 said premises with a seating capacity of 110.
15 The hours of operation will be 11:30 am to
16 2:00 p.m. Monday through Friday.

17 ROBERT C. HAAS: Why is there a
18 difference in hours?

19 PAUL ROSSI: That's strictly a grab
20 and go. There's no seating. But it's not a
21 full serviced cafeteria. They don't have any

1 breakfast served there. All that food is
2 actually shipped in. It's not prepared on
3 location.

4 GERALD REARDON: Where is that
5 prepared?

6 PAUL ROSSI: That's in our
7 commissary in Everett.

8 GERALD REARDON: Okay. Is that the
9 same, not that it applies, is that the same
10 for 250 Mass. Ave, most of the stuff is
11 prepared off?

12 PAUL ROSSI: 250 is all prepared
13 on-site.

14 GERALD REARDON: On-site. Okay.

15 PAUL ROSSI: Yeah.

16 GERALD REARDON: And so 200 Sidney
17 is the same way or is that prepared on-site?

18 PAUL ROSSI: 200 is prepared on-site
19 at that location.

20 GERALD REARDON: Okay.

21 PAUL ROSSI: They have a full

1 ki tchen there.

2 GERALD REARDON: All the paperwork
3 i n order?

4 ELI ZABETH LINT: It is.

5 GERALD REARDON: Is there anyone
6 here wi shi ng to be heard on Ri ta' s
7 Enterpri ses for ei ther 200 Si dney or 88
8 Si dney.

9 (No response).

10 GERALD REARDON: Make a moti on to
11 approve.

12 ROBERT C. HAAS: Both appl i cati ons?

13 GERALD REARDON: Both appl i cati ons
14 together.

15 ROBERT C. HAAS: Second.

16 GERALD REARDON: All i n favor?

17 ROBERT C. HAAS: Aye.

18 GERALD REARDON: Good Luck. When do
19 you thi nk you' ll have those full operati on?

20 PAUL ROSSI: They' re actual ly up and
21 runni ng now. Okay?

1 GERALD REARDON: Okay.

2 PAUL ROSSI: Thank you.

3 GERALD REARDON: You're welcome.

4 PAUL ROSSI: So do we just pick it
5 up at City Hall?

6 ELIZABETH LINT: No. We'll send you
7 a letter telling you when to come in and what
8 the fee is. We need time to do the paperwork
9 and get them printed.

10 PAUL ROSSI: Okay. Thank you.

11 GERALD REARDON: Good luck.

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1 MS. LINT: Appl i cati on Wi ndi ng Road,
2 LLC doi ng busi ness as Abi gai l ' s, James C.
3 Ludwi g, manager, has appl i ed for a new al l
4 al coholic beverages as a restaurant l i cense
5 at 291 Thi rd Street. Proposed hours of
6 operati on are 11:00 a.m. to 1:00 a.m. seven
7 days per week. The proposed i nside seati ng
8 capaci ty woul d be 114, wi th an addi ti onal si x
9 standi ng, and an outdoor seasonal pati o n
10 pri vate property wi th 20 seats for servi ce of
11 food and al cohol .

12 ATTORNEY ROBERT DUNKLESS: Good
13 eveni ng. My name i s Robert Dunkl ess. I ' m
14 and attorney wi th Ottenberg and Dunkl ess.
15 We' re l ocated at 101 Arch Street i n Boston.
16 I ' m representi ng the Appl i cant Wi ndi ng Road,
17 LLC. Si tti ng next to me i s James Ludwi g who
18 the desi gnated manager for the l ocati on and
19 one of the owners.

20 GERALD REARDON: Okay. You want to
21 gi ve us a l i ttle synopsi s?

1 ATTORNEY ROBERT DUNKLESS: Sure.
2 The plan here is to have an American style
3 bistro restaurant with full alcohol and
4 limited background music, entertainment and
5 television in the new third square complex at
6 291 Third Street. Although I think some of
7 the city records refer to the location as 303
8 Third Street.

9 Mr. Ludwig has approximately 15 years
10 of restaurant experience primarily in
11 Cambridge and Somerville. He was at East
12 Coast Grill for several years and was at the
13 B-side for several years.

14 The neighborhood has really come out
15 and supported this concept and this
16 application. We have some oh, probably over
17 100 signatures from people in the
18 neighborhood who are in support of the
19 restaurant concept. The Abigail's concept at
20 this location. And it seems that it's really
21 consistent with the plans for the Kendall

1 Square area. If I can I would also like to
2 submit these and there's also some letters of
3 recommendati on.

4 Thank you.

5 GERALD REARDON: Abigail's is that a
6 concept restaurant itself? Is that somewhere
7 else?

8 ATTORNEY ROBERT DUNKLESS: No, this
9 is a first venture.

10 GERALD REARDON: Okay.

11 Maybe you can describe Mr. Ludwig's
12 experience with alcohol.

13 ATTORNEY ROBERT DUNKLESS: Well,
14 Mr. Ludwig's worked at three restaurants
15 which had full alcohol, and has been around
16 the licensed serving of alcohol at these
17 locations, you know, for probably up 10 to 15
18 years.

19 ROBERT C. HAAS: So he's never had a
20 license in his name?

21 ATTORNEY ROBERT DUNKLESS: Never,

1 no.

2 ROBERT C. HAAS: Did you attempt to
3 purchase a license?

4 ATTORNEY ROBERT DUNKLESS: Winding
5 Road, LLC had engaged the Diamond Group
6 brokerage firm in the area and they made
7 inquiries to who were the known available
8 licenses at the time the application process
9 started. Two are under purchase and sale
10 agreement at the time, and one was involved
11 in some extensive creditor litigation or
12 creditor problems. Which given the limited
13 time frame under the links that Abigail's was
14 able to negotiate for securing a license,
15 wouldn't have really allowed for a purchase
16 of a license under those types of
17 circumstances.

18 ROBERT C. HAAS: Okay.

19 GERALD REARDON: Is this cap area?

20 ELIZABETH LINT: It is a capped
21 area.

1 ATTORNEY ROBERT DUNKLESS: We were
2 told it wasn't.

3 ELIZABETH LINT: Oh, wait a minute.
4 291 Third Street. We sent Ms. Boyer down to
5 check the sides of the street and this is
6 not.

7 ROBERT C. HAAS: Okay.

8 ELIZABETH LINT: We don't have a
9 background check back at this time. I can
10 get that tomorrow.

11 GERALD REARDON: Okay.

12 Before we go on, does anyone from the
13 public wish to be heard on Abigail's. Want
14 to come up and just take a seat one at a
15 time.

16 ALLEN GREEN: My name is Allen
17 Green. I live at 82 Fifth Street. I'm a
18 board member of the East Cambridge Planning
19 Team. I attended a meeting at the East
20 Cambridge Planning Team two weeks ago where
21 this restaurant idea was presented to us.

1 Personally I want to say that I think having
2 a restaurant there on Third Street where it
3 will be -- is a very good idea. Right now
4 there's not much there at night, and having
5 activity and life there would be a very good
6 thing for both the neighborhood and Kendall
7 Square. I also would like to add that the
8 reaction to these the East Cambridge Planning
9 Team and the presentation was unanimous in
10 support of this restaurant being there. So,
11 I, you know, it's rare that we react to
12 things so positively. But people really want
13 the restaurant there and I think it would be
14 a good idea.

15 GERALD REARDON: Okay. Thank you
16 very much. Anyone else, please?

17 CHARLES MARQUARDT: Charlie
18 Marquardt, Ten Rogers Street, East Cambridge.
19 I'm also a member of the board of the East
20 Cambridge Planning Team.

21 We had a great meeting with them. Not

1 only were they encouraging in terms of
2 sharing their menu and bringing in a
3 different type of fare. We have all sorts of
4 food.

5 GERALD REARDON: Also, we need -- do
6 you have a copy of the menu with you?

7 ATTORNEY ROBERT DUNKLESS: Yes, we
8 have one which was filed.

9 CHARLES MARQUARDT: It's really,
10 really good. You know, bringing some
11 American fare to go with everything else
12 that's going on in East Cambridge after years
13 of quietude as I'm sure the Commissioner can
14 attest, it's nice to have some new
15 restaurants popping up in the area.

16 GERALD REARDON: He's a newcomer.

17 CHARLES MARQUARDT: He's a newcomer.
18 He's in the neighborhood now. We have all
19 sorts of blue and white cars all over the
20 place.

21 ROBERT C. HAAS: Black and white.

1 CHARLES MARQUARDT: Blue, black.

2 Also what was interesting to the
3 neighborhood, not only was the opportunity to
4 have a new restaurant come in, but also for
5 the opportunity for jobs. We haven't had
6 many jobs for, you know, kids out of high
7 school, kids out of college. And they were
8 talking about adding a good number of new
9 jobs in that neighborhood. Which frankly is
10 a lot of open storefronts, and starting to
11 fill them up would be great. So we look
12 forward to that.

13 And I also want to add to Allen's
14 comments, not only were people encouraging,
15 we actually had a person from the Third
16 Square Apartments -- sorry, Third Square
17 Condominiums in attendance, and his only
18 request was that they do delivery. So it's
19 great to have someone from the very same
20 building not even complaining about the
21 opening of the new establishment.

1 So I think with what's been going on,
2 adding this liquor license and a new
3 restaurant in the area is something that
4 we're all looking forward to and hopefully
5 they can have it up and running in short
6 order so that we can enjoy some warm food in
7 the cold winter months.

8 ROBERT C. HAAS: So, did the East
9 Cambridge Planning Team take a vote on this
10 or are they just reacting to the meeting you
11 had with them?

12 CHARLES MARQUARDT: Oh, no. We took
13 a vote to write a letter in support. The
14 only issue we had that we would actually like
15 for the city, you should have a letter there
16 from Barbara.

17 ROBERT C. HAAS: Okay.

18 CHARLES MARQUARDT: It would be nice
19 if the city could put some more bike posts up
20 in front of the restaurant there. I know
21 it's not their place to do it, but there's

1 very few out there and there's a lot of
2 bikes. So that was the only --

3 GERALD REARDON: Sometimes, you
4 know, it's funny sometimes the lights meet
5 with mixed reaction. Some want less light
6 and some want less --

7 CHARLES MARQUARDT: No poles. Posts
8 for the bikes. There's plenty of lights.
9 Lots of street lights.

10 GERALD REARDON: I was going to say
11 it's pretty light down there.

12 CHARLES MARQUARDT: It is pretty
13 bright. We want --

14 GERALD REARDON: Bike racks.

15 CHARLES MARQUARDT: Like those posts
16 or whatever you do. That would be nice.

17 Thank you.

18 GERALD REARDON: Anyone else?

19 SARI ABULJUBEIN: My name is Sari
20 Abul Jubein. I will spell it. S-a-r-i,
21 A-b-u-l-j-u-b-e-i-n. I live at 257 Lakeview

1 Avenue in Cambridge and I'm the owner of
2 Casablanca Restaurant in Harvard Square.

3 I have known Jim -- James and his wife
4 for several years. I have probably followed
5 him at every restaurant he's worked. And I
6 know the quality food he is capable and has
7 done at all these establishments where he's
8 worked. I know, I know him personally a
9 little bit. He's a very conscientious person
10 and I am very much with coming here to
11 support him in this endeavor and I'm very
12 glad he's not coming to Harvard Square.

13 GERALD REARDON: Thank you.

14 SARI ABULJUBEIN: Thank you.

15 ROBERT C. HAAS: Well, those are
16 some pretty significant endorsements. The
17 East Cambridge Planning Team is very thorough
18 in terms of its assessment in terms of having
19 a near competitor I think speaks well.

20 JERRY COLEMAN: Hi there. Gerry
21 Coleman (phonetic) from the Field. And I'd

1 just like to go along with that. I've known
2 both James and Sarah for a number of years,
3 and they, you know, between the combination
4 of both of them, they, you know, have a lot
5 of experience in the back and front of the
6 house. And I think that would be a very
7 successful operation. That's it.

8 ROBERT C. HAAS: Thank you. Great.

9 GERALD REARDON: Thank you.

10 Anyone else?

11 ELIZABETH LINT: I have some. I do
12 have the letter from the East Cambridge
13 Planning Team who supports it unanimously.
14 And they believe it will bring in additional
15 20 employees into the area which is also very
16 good.

17 I have a letter from the East Cambridge
18 Business Association who also supports the
19 application. They say: If Kendall Square
20 continues to improve its retail offering, the
21 restaurant at this location would continue to

1 establish this stretch of Third Street as a
2 place for retail to thrive. Additionally
3 successful businesses in this area would help
4 to establish a link between East Cambridge
5 and Kendall Square.

6 And I have a letter from Councilor
7 Toomey also in support of the application.
8 "A new restaurant here geared towards both
9 residents and those who work in Kendall
10 Square will bring much needed foot traffic to
11 the neighborhood. Residents of East
12 Cambridge have expressed a desire to see the
13 Kendall Square streetscape recharged with
14 activity. A new restaurant will be a
15 positive presence and would help to build a
16 busy urban center in Kendall Square."

17 ROBERT C. HAAS: Are you planning to
18 join the East Cambridge Business Association.

19 JAMES LUDWIG: What's that?

20 ROBERT C. HAAS: Are you planning to
21 join the East Cambridge Business Association?

1 JAMES LUDWIG: We're thinking about
2 it.

3 ROBERT C. HAAS: Because they have
4 completed their first year. And they have 44
5 members and they're recruiting new members so
6 I suspect that they'll be looking for you to
7 join the association as well.

8 JAMES LUDWIG: Ulterior motive I
9 guess.

10 GERALD REARDON: Do you have much in
11 way of renovations at this point?

12 ATTORNEY ROBERT DUNKLESS: Yes, it's
13 going to be pretty much a gut build out. In
14 fact, it's a vanilla shell that the
15 landlord's giving. And they're putting in
16 something towards the infrastructure but it's
17 really going to be a substantiation build
18 out.

19 ROBERT C. HAAS: When do you
20 anticipate opening?

21 ATTORNEY ROBERT DUNKLESS: The hope

1 is April. But a lot of that is going to
2 depend on when all the licenses get approved
3 and when the landlord can finish their work.

4 ROBERT C. HAAS: You got
5 notifications?

6 ELIZABETH LINT: Yes. I don't have
7 background checks.

8 GERALD REARDON: So, I assume to
9 move forward with the lease you need some
10 approvals to start the ball rolling here,
11 correct?

12 JAMES LUDWIG: Indeed. Construction
13 can't be started until we have the license.

14 GERALD REARDON: We can make a
15 motion to approve subject to the background
16 check.

17 ELIZABETH LINT: I can have Officer
18 Szeto do them tonight actually.

19 GERALD REARDON: Make a motion to
20 approve. It seems like they have
21 overwhelming support from the neighborhood

1 and no negative. To approve with the
2 conditions as set forth.

3 ELIZABETH LINT: It would be no
4 value, non-transferable. Not be used as a
5 pledge.

6 GERALD REARDON: Cannot be used as a
7 pledge. The bank can have no --

8 ROBERT C. HAAS: 21-proof training.

9 ATTORNEY ROBERT DUNKLESS: I'm
10 sorry.

11 ROBERT C. HAAS: 21-proof training
12 is required.

13 ATTORNEY ROBERT DUNKLESS: And
14 they'll have time to do that before they
15 open.

16 GERALD REARDON: Yes. So there will
17 be no transfer of the license. That it comes
18 back to the License Commission. It has no
19 value. The bank can't be pledged as Ms. Lint
20 said. Also it can't be first lien holder or
21 anything. It has no value.

1 ATTORNEY ROBERT DUNKLESS:

2 Understand.

3 GERALD REARDON: Okay?

4 ROBERT C. HAAS: Second.

5 GERALD REARDON: All in favor?

6 ROBERT C. HAAS: Aye.

7 GERALD REARDON: Aye.

8 Good luck.

9 ATTORNEY ROBERT DUNKLESS: Thank you
10 very much.

11 ELIZABETH LINT: Just one thing.
12 Because this is -- you may fall outside the
13 six-month approval. The approvals are only
14 good for six months. If it goes beyond six
15 months, you need to send me a letter asking
16 to extend that approval and I can do that
17 over the counter.

18 ATTORNEY ROBERT DUNKLESS: Thank
19 you.

20 JAMES LUDWIG: Thank you very much.

21 ROBERT C. HAAS: Good luck.

1 MS. LINT: Appli cati on Chowdhery,
2 Incorporated doi ng busi ness as Uni versi ty
3 Market, Rabi ul Chowdhery, manager, hol der of
4 wi ne and mal t beverages as a package store
5 Li cense at 1105 Mass. Avenue has appl ied for
6 a change of manager from Rabi ul Chowdhery to
7 Mahmuda Nasri n Khan Chowdhery. Appl i cant i s
8 al so appl yi ng for a change of
9 offi cer/di rector and transfer of ownershi p.

10 GERALD REARDON: Good eveni ng.

11 REZBUL CHOWDHERY. Hi . Good
12 eveni ng. My name i s Rezbul Chowdhery. I 'm
13 the owner presi dent of the corporati on d/b/a/
14 Uni versi ty Market at 1105 Mass. Avenue. I 'm
15 doi ng last 15 years busi ness over there wi th
16 my brother Rabi ul Chowdhery. He' s no longer
17 i n thi s corporati on. I 'm now 100 percent
18 stockhol der. My wi fe, she U. S. ci ti zen. She
19 i s next manager and Li cense and she had the
20 trai ni ng from the cl ub and qual i ty and she
21 worked i n 13 years as cl erk.

1 GERALD REARDON: So you're doing a
2 transfer of ownership from your brother to
3 you?

4 REZBUL CHOWDHERY: No, not
5 ownership. She --

6 GERALD REARDON: No. Transfer of
7 ownership from your brother's half to you, so
8 you're now 100 percent. So that's the
9 transfer part?

10 REZBUL CHOWDHERY: Yeah.

11 GERALD REARDON: And then your wife
12 being the new manager?

13 REZBUL CHOWDHERY: She's the new
14 manager. I got 50 percent from brother to
15 me.

16 GERALD REARDON: Okay.

17 ROBERT C. HAAS: Is this an amicable
18 separation between you and your brother?

19 REZBUL CHOWDHERY: Yes, we switched
20 corporation.

21 ROBERT C. HAAS: What's that.

1 REZBUL CHOWDHERY: We have two
2 corporati on, two busi ness. He took one and I
3 took thi s one. Thi s one we done 15 years
4 together, and other one 15 years i n Mel rose.
5 He took that one, I took thi s one.

6 GERALD REARDON: And you were the
7 manager of record pri or to thi s?

8 REZBUL CHOWDHERY: Used to be.

9 GERALD REARDON: Okay.

10 ROBERT C. HAAS: Pri or to you i t was
11 your brother? Your brother was the manager
12 pri or to thi s separati on or no? OR your wi fe
13 has al ways been the manager?

14 REZBUL CHOWDHERY: She wi ll be the
15 manager.

16 ROBERT C. HAAS: She wi ll be manager
17 but who was the manager pri or to her?

18 REZBUL CHOWDHERY: My brother.

19 ROBERT C. HAAS: Your brother was.

20 REZBUL CHOWDHERY: Yes.

21 GERALD REARDON: There' s no one here

1 to be heard on it.

2 What about paperwork?

3 ELIZABETH LINT: I don't have
4 background checks. I don't know why.

5 REZBUL CHOWDHERY: Mr. Chris.

6 GERALD REARDON: Store hours and
7 everythi ng else i s bei ng kept the same?

8 REZBUL CHOWDHERY: Everythi ng the
9 same.

10 GERALD REARDON: Okay.

11 ELIZABETH LINT: I have the form. I
12 don' t know why i t' s not done.

13 ROBERT C. HAAS: The form i s
14 compl eted?

15 ELIZABETH LINT: That wi ll be done
16 toni ght.

17 ROBERT C. HAAS: I make a moti on to
18 approve the transfer of ownershi p pendi ng the
19 outcome of background i nvesti gati on.

20 GERALD REARDON: Second.

21 ROBERT C. HAAS: All i n favor?

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GERALD REARDON: Aye.

ROBERT C. HAAS: Aye.

1 ELI ZABETH LINT: Rati fi cations. 41,
2 120, 112, 229, 106, 137, 150, 56, 212, 169,
3 179, 199 and 237.

4 ROBERT C. HAAS: Make a moti on to
5 accept. Everythi ng' s i n order?

6 ELI ZABETH LINT: Yes.

7 GERALD REARDON: Second.

8 ROBERT C. HAAS: All i n favor?

9 GERALD REARDON: Aye.

10 ROBERT C. HAAS: Aye.

11 GERALD REARDON: A lot of sales
12 latel y?

13 ELI ZABETH LINT: Joe Corel l a
14 (phoneti c) had 14 or 16 cabs, somethi ng l ike
15 that. And he sold them all to (i naudi bl e).
16 Because he' s i n Lebanon and he' s not comi ng
17 back. I thi nk he mi ght have kept two. So i t
18 was the transfer and then i t was a refi nance.

19 GERALD REARDON: Okay. I saw the
20 same numbers twi ce.

21 ELI ZABETH LINT: Ri ght, that' s why.

1 GERALD REARDON: That it? I make a
2 moti on to adj ourn.

3 ELI ZABETH LINT: And we can' t accept
4 the mi nutes because we need all of you.

5 ROBERT C. HAAS: Second.

6 GERALD REARDON: All i n favor?

7 ROBERT C. HAAS: Aye.

8 GERALD REARDON: Aye.

9 (Whereupon, at 6:45 p.m., the
10 meeti ng adj ourned.)

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C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS
BRI STOL, SS.

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

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

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 12th day of November 2010.

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

My Commission Expires:
April 23, 2015

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