CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR ANDREA JACKSON

POLICE COMMISSIONER ROBERT C. 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: December 9, 2014

TIME: 6:00 p.m.

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P R O C E E D I N G S

December 9, 2014

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

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EXECUTIVE DIRECTOR ELIZABETH LINT: Good evening. We would like to get started. If anyone has a cell phone on, we would appreciate if you turned it off or silenced it.

We would also like to announce that this meeting is being audio taped and videotaped.

It is the License Commission General Hearing, Tuesday, December 9, 2014. It is 6 p.m. We are in the Michael J. Lombardi Building, 831 Massachusetts Avenue, Basement Conference Room.

Before you are the Commissioners, Chair Andrea Jackson, Chief Gerald Reardon, Commissioner Robert Haas.

We are going a little bit out of order. Wait a minute. I'm sorry. We have some minutes that we can approve. October 7 and 8, all three of you were here. And November 17 just the Police Commissioner and Chair were here.

POLICE COMMISSIONER ROBERT HAAS: What was the date?

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm sorry?

POLICE COMMISSIONER ROBERT HAAS: The date?

EXECUTIVE DIRECTOR ELIZABETH LINT: November 17.

CHAIR ANDREA JACKSON: I'm sorry, what were the dates again?

EXECUTIVE DIRECTOR ELIZABETH LINT: October 7 and 8. All three of you were here.

FIRE CHIEF GERALD REARDON: I make a motion to approve.

CHAIR ANDREA JACKSON: Second.

All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

EXECUTIVE DIRECTOR ELIZABETH LINT: And then November 17.

POLICE COMMISSIONER ROBERT HAAS: Make a motion to approve.

CHAIR ANDREA JACKSON: Second.

All those in favor signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: Aye.

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REVOCATION: DOYLE'S PUB AND RESTAURANT, LLC, D/B/A TOMMY DOYLE'S PUB AND RESTAURANT

EXECUTIVE DIRECTOR ELIZABETH LINT: We're going to start with the revocation matter.

Tommy Doyle's Pub and Restaurant, LLC, d/b/a Tommy Doyle's Pub and Restaurant, 96

Winthrop Street, Six Kids, LLC, d/b/a Tommy Doyle's Pub and Restaurant, One Kendall Square; 1071 Cambridge Street, LLC, d/b/a Angel's Share, 1071 Cambridge Street, for failing to operate as required by Mass. General Laws Chapter 138 77.

I have been in conversation with them. They are planning on opening in January or February. They are almost done. They are through some inspection so they will not be here.

CHAIR ANDREA JACKSON: These were on the agenda this evening because they are not operating currently, is that correct?

EXECUTIVE DIRECTOR ELIZABETH LINT: Both Tommy Doyle's are closed, have been, did not file for inactive status and Kendall Square is a no value license and that's assigned to that location in any event pursuant to the agreement, the One Kendall agreement with the City, which I believe was 198 -- 1990. I may be a little

confused on that date.

CHAIR ANDREA JACKSON: You said Angel Share sent in a letter saying that they are going to be hopefully opening within the next few months?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. Hopefully a little sooner than that actually.

CHAIR ANDREA JACKSON: Tommy Doyle's in Kendall, when did they close?

FIRE CHIEF GERALD REARDON: They closed around the same time.

EXECUTIVE DIRECTOR ELIZABETH LINT: No. Winthrop Street closed first and Kendall closed, I want to say --

CHAIR ANDREA JACKSON: October maybe.

EXECUTIVE DIRECTOR ELIZABETH LINT: No. It was before that. It was August or September.

CHAIR ANDREA JACKSON: Okay. Of 2014?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes.

Is there anyone here to represent that matter?

ATTY ANDREW UPTON: I'm here on behalf of Tommy Doyle's. The manager of record has gone upstairs thinking he was going to be called third. If you can give me one second, I'll give him a yell.

CHAIR ANDREA JACKSON: We can come back.

ATTY ANDREW UPTON: Oh, there he is.

CHAIR ANDREA JACKSON: Good evening. State your name for the record spelling your first and last name and also who is with you.

ATTY ANDREW UPTON: Good evening, Madam Chair, Commissioners. Andrew Upton A-N-D-R-E-W U-P-T-O-N, representing Tommy Doyle's and the landlord.

And with me is the manager of record, the last approved manager of record, Garrett Tingle, T-I-N-G-L-E.

POLICE COMMISSIONER ROBERT HAAS: For both locations or just the one?

ATTY ANDREW UPTON: We're just doing the Winthrop Street one.

POLICE COMMISSIONER ROBERT HAAS: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: Allen O'Sullivan is the manager of record at --

POLICE COMMISSIONER ROBERT HAAS: I thought we were taking care of both places.

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

CHAIR ANDREA JACKSON: Counsel, please proceed.

ATTY ANDREW UPTON: As you reviewed the status, we're all aware it closed. There are still some outstanding contractural obligations between the licensee and the landlord. The licensee and landlord have been coordinating in order to sell the license, and they have been in discussions since, I believe, March and they had

an agreement with a broker, but due to various factors, they could not find an appropriate buyer during that time.

Since that time, we understand the Commissioner's concern about use of the license and not letting it lie dormant and I think this has served as an effective and appropriate wake-up call to both the licensee and landlord and I'm happy to report that they have signed a letter of intent with a potential user.

And the potential user has retained counsel, and we're currently negotiating a P&S.

So I can get into some more detail about that if the Commission is interested, but basically I would ask you to give us enough time to consummate that transaction.

There's a restaurant known as Bonchon in the Crimson Galleria. They have been operating some time. They are doing pretty well. They

think they could be an appropriate user for the liquor license.

We don't believe it would impact the neighborhood in any more significant way because it is only moving about 200 feet, and it would allow the licensee to discharge some of his obligations, it would make the landlord whole, and put this license to good use.

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 matter?

Seeing none, how much time do you think you need, counsel? Six months?

ATTY ANDREW UPTON: I think six months would be fine. We would hope to do it sooner. Sometimes when we get to the ABCC, things slow down, so six months would be great.

CHAIR ANDREA JACKSON: I make a motion that we continue this matter for six months and if for some reason it needs to come before us prior to that, then that's fine.

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.

ATTY ANDREW UPTON: Thank you very much. We appreciate your patience.

CHAIR ANDREA JACKSON: Thank you.

Is there anyone here for the Tommy Doyle's at One Kendall Square?

FIRE CHIEF GERALD REARDON: Do we need a motion to revoke that even though it is no value?

CHAIR ANDREA JACKSON: It is just out there. They have not come in to renew?

EXECUTIVE DIRECTOR ELIZABETH LINT: They have not. You could make a motion to revoke it and send a Form 43.

CHAIR ANDREA JACKSON: And it will be clean.

EXECUTIVE DIRECTOR ELIZABETH LINT: Okay.

CHAIR ANDREA JACKSON: I make a motion that we revoke the Tommy Doyle's Pub and Restaurant at One Kendall Square.

FIRE CHIEF GERALD REARDON: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: I make a motion

that there's no action on Angel Share. 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.

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APPLICATION: DOWNEAST CIDER HOUSE, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: Downeast Cider House, LLC, holder of a state farmers winery license has applied to operate at the Cambridge Winter Farmers Market at 5 Callender Street.

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

KRISTEN MANGANINI: Kristen Manganini,

K-R-I-S-T-E-N. Last name M-A-N-G-A-N-I-N-I. From Downeast Cider House.

KIM MOTYLEWSKI: I'm Kim Motylewski, K-I-M M-O-T-Y-L-E-W-S-K-I. I'm the manager of the Winter Farmers Market.

CHAIR ANDREA JACKSON: Manager of the Farmers Market?

KIM MOTYLEWSKI: Yes.

CHAIR ANDREA JACKSON: Can you please tell us a little about Downeast Cider house?

KRISTEN MANGANINI: Sure. So we make cider and other nonbeer beverages. All of our beverages that we would be selling at Farmers Market are under 6.5 percent ABV. We locally source all our apples from New England, mostly from Massachusetts, and we produce everything at our cider house in Charlestown, Mass.

CHAIR ANDREA JACKSON: How long have you been in business?

KRISTEN MANGANINI: We have been in business a little over three years. Started up in Maine and moved into our current facility about a year and a half ago.

CHAIR ANDREA JACKSON: Have you operated at a Farmers Market before?

KRISTEN MANGANINI: We have. We have been in the South Washington Market, SOWA, and the Lexington Farmers Market in Lexington, Mass.

CHAIR ANDREA JACKSON: And this is the Farmers Market that operates out of the Cambridge Community Center?

KIM MOTYLEWSKI: That's right. I'm an employee of that center, and 2015 will be the fourth season of the winter market, and at least the second year, perhaps the third year, we have had Mass wineries.

CHAIR ANDREA JACKSON: And you think the program is working well?

KIM MOTYLEWSKI: I do. We have had no more than two wineries with us and oftentimes they are not there every week. The other that is applying wants to come every other week and Downeast Cider would be with us every other week, if approved by the Commission, and it is very much a part of the whole scene of locally grown and Maine foods, and it is a welcome part and customers seem to like it, and there's never been any problem.

CHAIR ANDREA JACKSON: What is the time typically for the Farmers Market?

KIM MOTYLEWSKI: It runs every Saturday January through April. So it is 17 Saturdays. January 3rd to April 25th. The hours are 10 to 2.

CHAIR ANDREA JACKSON: All the paperwork is in order?

EXECUTIVE DIRECTOR ELIZABETH LINT: It

is. We have all the state permits.

CHAIR ANDREA JACKSON: 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 on this matter?

Sure. If you could please come forward.

HOPE ZIMMERMAN: I can project.

CHAIR ANDREA JACKSON: No. You have to come forward, please.

HOPE ZIMMERMAN: My name is Hope Zimmerman, Z-I-M-M-E-R-M-A-N. And I'm co-owner of the Out of the Blue Gallery and I am all for these guys being able to sell at the Farmers Market. They are a great company and they have already instantly started to try to become part

of the community in Central Square.

We met both of the owners, they happen to be artists as well, and I think they are really great people and they would actually be a really good asset to join Central Square.

CHAIR ANDREA JACKSON: Thank you.

FIRE CHIEF GERALD REARDON: Thank you.

CHAIR ANDREA JACKSON: Anyone else that would like to be heard in this matter?

Seeing none, I make a motion that we approve the application for Downeast Cider House, LLC, holder of a State Farmers Wine License to operate at the Cambridge Winter Farmers Market at 5 Calendar 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.

CHAIR ANDREA JACKSON: You are all set.

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APPLICATION: ARE-MA REGION NO. 48, LLC

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: ARE, MA Region No. 48 has replied for a garage license with additional flammables storage at 75/125 Binney Street for 397 vehicles. 3970 gallons of gasoline in the tanks of autos only and 5780 gallons of class II (diesel) in an above-ground storage tank.

CHAIR ANDREA JACKSON: If you could just state for the record what it is that you just received.

EXECUTIVE DIRECTOR ELIZABETH LINT: Abutter notifications.

CHAIR ANDREA JACKSON: Thank you.

Good evening.

JEFF MCCOMISH: Good evening.

CHAIR ANDREA JACKSON: If you could

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

JEFFREY MCCOMISH: Jeffrey McComish, J-E-F-F-E-R-Y M-C-C-O-M-I-S-H.

I'm Executive Director of Asset Services with Alexandria Real Estate Equities, and I will be the manager of 75/125 Binney Street and it is slated to have a CFO by the end of March of 2015, and as requested, we have 397 parking spaces below grade, so average of ten gallons per vehicle for the 3,970 gallons of gasoline.

And then there's two generators that serve the purpose of both emergency power as well as for back-up power, and those generators require the diesel fuel.

One would be an underground storage tank of 5,000 gallons and the other is an above-ground tank within the garage.

The total above ground will be 780 total

gallons. There's a number of day tanks associated with the two generators.

FIRE CHIEF GERALD REARDON: So you are -- underground is literally underground or is it below grade in the basement area?

JEFFREY MCCOMISH: It's underground on the site, on the Roger Street end of the site.

FIRE CHIEF GERALD REARDON: That's a fiberglass double hull interstitial with a monitoring system?

JEFFREY MCCOMISH: Yes.

FIRE CHIEF GERALD REARDON: And how many day tanks do you have?

JEFFREY MCCOMISH: There's four day tanks, two per generator, 30 gallons each.

FIRE CHIEF GERALD REARDON: 30 each?

JEFFREY MCCOMISH: Yes.

FIRE CHIEF GERALD REARDON: Those are all located on the roof areas?

JEFFREY MCCOMISH: Up on the roof areas, correct, right with the generator.

FIRE CHIEF GERALD REARDON: And the one above ground in the garage area, that's another double hull with a spill-containment system?

JEFFREY MCCOMISH: Correct, yep.

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 application for a garage license with additional flammable storage at 75/125 Binney Street for 397 vehicles, 3,970 gallons of gasoline in the tanks of autos only, and 5,780 gallons of class II (diesel) for ARE, MA Region

No. 448, LLC.

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 are all set.

EXECUTIVE DIRECTOR ELIZABETH LINT: Can I amend that? That is region 48, not 448.

CHAIR ANDREA JACKSON: Thank you.

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APPLICATION: CLUBE DESPORTIVO FAIALENSE, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT: Application Clube, Desportivo Faialense, Inc. Joe Santos, manager, holder of an all alcoholic beverages club license at 1115-1121 Cambridge Street has applied for a change of manager to Joseph Conceicao.

JOSEPH CONCEICAGO: Good evening.

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

JOSEPH CONCEICAO: Joseph, J-O-S-E-P-H C-O-N-C-E-I-C-A-O.

CHAIR ANDREA JACKSON: You are the proposed manager?

JOSEPH CONCEICAO: Yes, ma'am.

CHAIR ANDREA JACKSON: What position in the club did you hold previously?

JOSEPH CONCEICAO: I was a board of director.

CHAIR ANDREA JACKSON: How long did you serve as a board of director?

JOSEPH CONCEICAO: One year.

FIRE CHIEF GERALD REARDON: Could you tell us how long you have been associated with the club in general?

JOSEPH CONCEICAO: I have been a member over five years.

CHAIR ANDREA JACKSON: And the former manager stepped down?

JOSEPH CONCEICAO: For personal reasons he stepped down so we needed to find somebody else.

CHAIR ANDREA JACKSON: How many members does the club have?

JOSEPH CONCEICAO: Probably about 175. Paid.

CHAIR ANDREA JACKSON: Paid?

JOSEPH CONCEICAO: Paid.

CHAIR ANDREA JACKSON: How many unpaid?

JOSEPH CONCEICAO: Probably 300.

POLICE COMMISSIONER ROBERT HAAS: What is the distinction between paid members and unpaid members?

JOSEPH CONCEICAO: People that don't want

to pay the membership, they are still on the books for five years. We kinda carry them.

POLICE COMMISSIONER ROBERT HAAS: Do they have all the privileges of a full paid member?

JOSEPH CONCEICAO: Yes.

Hopefully we get them back to pay their dues.

POLICE COMMISSIONER ROBERT HAAS: Are they typically active members or inactive members.

JOSEPH CONCEICAO: I hate to say this, but it is like six of one, half a dozen of the other. They are active when they show up and inactive when they don't. But I would say active.

POLICE COMMISSIONER ROBERT HAAS: Most of them are active, the unpaid members are active?

JOSEPH CONCEICAO: Yes.

POLICE COMMISSIONER ROBERT HAAS: So they

can use the club for their own personal affairs because there are considered a member of the club?

JOSEPH CONCEICAO: But if they are not paid, then they would pay a higher fee.

POLICE COMMISSIONER ROBERT HAAS: Okay.

CHAIR ANDREA JACKSON: What do you understand is the responsibilities of the manager?

JOSEPH CONCEICAO: Well, making sure that everything is dated and legal and everything that -- we coincide with the law and making sure that we do not serve minors. That's my main concern.

POLICE COMMISSIONER ROBERT HAAS: Have you ever held a license in your name before?

JOSEPH CONCEICAO: Myself?

POLICE COMMISSIONER ROBERT HAAS: Yes.

JOSEPH CONCEICAO: No, sir.

POLICE COMMISSIONER ROBERT HAAS: Have

you ever received any training?

JOSEPH CONCEICAO: Yes.

POLICE COMMISSIONER ROBERT HAAS: What training have you received?

JOSEPH CONCEICAO: Just I've -- I have worked in various facilities as far as Boston University and MIT, and I've had some in the City of Boston, not as a licensee, but as a manager and I had to oversee some of the stuff.

POLICE COMMISSIONER ROBERT HAAS: So what formal training did you receive in those different capacities? Did you get any formal training?

JOSEPH CONCEICAO: No, sir.

CHAIR ANDREA JACKSON: How many hours a week do you anticipate spending at the club?

JOSEPH CONCEICAO: Too many. But I would say maybe 45, 50 hours.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: This unpaid situation raises some questions.

If I was just to walk down the street and walk in, can I have access to the club if I'm not a member.

JOSEPH CONCEICAO: Yes.

FIRE CHIEF GERALD REARDON: Even if I'm not with a member, anyone could walk in off the street?

JOSEPH CONCEICAO: Yes, sir.

FIRE CHIEF GERALD REARDON: Okay.

CHAIR ANDREA JACKSON: That's a problem. That's a violation. If you are a member, then you are a member. But people off the street shouldn't be able to just walk in and decide that they want to have a drink.

JOSEPH CONCEICAO: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: Members and guests of members.

CHAIR ANDREA JACKSON: Right.

JOSEPH CONCEICAO: I mean --

CHAIR ANDREA JACKSON: So the question was asked, if he was by himself, not if he was a member.

JOSEPH CONCEICAO: He would have to be with a member.

POLICE COMMISSIONER ROBERT HAAS: So they have a membership card or something they can show you to prove that they have a membership with the club?

JOSEPH CONCEICAO: Yes.

POLICE COMMISSIONER ROBERT HAAS: Do you check that card before you serve if they are not known to you?

JOSEPH CONCEICAO: If we know them, then we don't usually. If we don't know them, if we don't know them, then we do check.

POLICE COMMISSIONER ROBERT HAAS: You

require them to present a card?

JOSEPH CONCEICAO: Yes.

FIRE CHIEF GERALD REARDON: I guess the question is, if they are unpaid members and not members, how does that work?

EXECUTIVE DIRECTOR ELIZABETH LINT: They have cards.

CHAIR ANDREA JACKSON: Right. What's the criteria to be a member?

JOSEPH CONCEICAO: You have to file an application to be approved by the board of members. You would also have to have a sponsor.

POLICE COMMISSIONER ROBERT HAAS: So I'm just wondering, why, I mean, I suspect the club is dependent upon the dues that are paid by the members, why would you let so many members go unpaid?

JOSEPH CONCEICAO: Well, you know, to be honest with you, most of them will come back

within a couple years and pay their back dues. It's just not one of those things that we have manpower to go in and solicit all the time.

And we try to get these people to come back and to pay their dues. If after five years if they have not paid, then they are no longer members, but we give them the five-year grace period.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: All set.

POLICE COMMISSIONER ROBERT HAAS: Do you have a card with you?

JOSEPH CONCEICAO: Yes.

POLICE COMMISSIONER ROBERT HAAS: Membership card? Can I see what it looks like?

CHAIR ANDREA JACKSON: Have we received an updated listing of their membership list?

EXECUTIVE DIRECTOR ELIZABETH LINT: I don't know.

Do you know if you have given us an updated list of the board members?

JOSEPH CONCEICAO: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT: You have?

JOSEPH CONCEICAO: Yes.

CHAIR ANDREA JACKSON: Not just the board members but all members.

JOSEPH CONCEICAO: No. We got the.

Board members but not all members.

EXECUTIVE DIRECTOR ELIZABETH LINT: For ABCC purposes we need the board members.

JOSEPH CONCEICAO: Board members, yes.

CHAIR ANDREA JACKSON: So when members enter, are they required to show their card?

JOSEPH CONCEICAO: Yes, ma'am.

CHAIR ANDREA JACKSON: What happens if they don't have it?

JOSEPH CONCEICAO: If they are with a

guest they stay. If not, then they are not served.

CHAIR ANDREA JACKSON: Who checks to see if -- do you have someone stationed at the door?

JOSEPH CONCEICAO: No. The bartender.

CHAIR ANDREA JACKSON: So by then you are already in the building, is that correct?

JOSEPH CONCEICAO: Yes.

CHAIR ANDREA JACKSON: So then again, it goes back to then anybody could enter the building.

JOSEPH CONCEICAO: But not be served.

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 --

EXECUTIVE DIRECTOR ELIZABETH LINT: Background check is in order and there's something else. (Pause.)

FIRE CHIEF GERALD REARDON: Taxes?

EXECUTIVE DIRECTOR ELIZABETH LINT: No taxes.

CHAIR ANDREA JACKSON: I would like to continue this to our Decision Making Hearing. I think there are a couple things I would like to look into.

So I make a motion that we continue this to our Decision Hearing.

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: And

that is --

CHAIR ANDREA JACKSON: Is that the 18th?

EXECUTIVE DIRECTOR ELIZABETH LINT: I believe so. December 18, yes, at 10 a.m.

CHAIR ANDREA JACKSON: So December 18 at 10 a.m.

JOSEPH CONCEICAO: Okay. Thank you.

CHAIR ANDREA JACKSON: Thank you.

EXECUTIVE DIRECTOR ELIZABETH LINT: Back to the top?

CHAIR ANDREA JACKSON: Yes, thank you.

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REVIEW: CANTABRIDGEAN HOSPITALITY, INC. D/B/A PROSPECT

EXECUTIVE DIRECTOR ELIZABETH LINT: Review: Cantabridgean Hospitality, Inc., d/b/a Prospect, Marc Shulman, manager, holder of a alcoholic beverages restaurant license and entertainment license at 675 Massachusetts

Avenue.

ATTY JAMES RAFFERTY: Good evening, Madam Chair and Members of the Commission. For the record, my name is James Rafferty, R-A-F-F-E-R-T-Y, I'm appearing this evening on behalf the licensee. Seated to my left is the manager, Marc Shulman, S-H-U-L-M-A-M.

The Commission may recall when we were here last we informed the Commission that the licensee was having difficulty raising the necessary financial resources to complete the build-out, or even, frankly, begin the build-out of the restaurant, and it was appearing unlikely that he was going to proceed according to his original intentions, notwithstanding the fact that he had secured a building permit, had a complete set of drawings, and had actually a contract established with a contractor, so for a variety of reasons, regrettably this enterprise

is not going to be opening in that location.

The licensee has spent the past several weeks in discussions with the landlord about how best to package what is available for sale but the license is for sale.

There was some thinking that given the existing floor plans and the space having been designed for occupancy that there would be some coordination between perhaps a potential buyer of the license and a perspective new tenant.

I think it's fair to say that the level of cooperation between the licensee and landlord is not at the level that's a likely scenario, so the licensee is offering the license for sale, has had conversations with several brokers, does intend to list the license and we would be requesting a six-month period to have the license as inactive to allow for the sale, and hopefully, the filing of the transfer application, but I

would say it only has been the last few weeks that the licensee has concluded that it is a sale, and as a sale, that is not tied to that location, so if any buyer were to emerge looking for a license in Cambridge, this would be a license available for sale, and it will be actively marketed as such.

POLICE COMMISSIONER ROBERT HAAS: So there's no other plans on the part of the applicant to use the present site for any other kind of business enterprise or ...

ATTY JAMES RAFFERTY: The applicant no longer has rights to that location, to occupy it. The landlord understands the address is part of the (inaudible), but based on some other issues, so I think the landlord is going to pursue -- independently pursue, the space is vacant and unoccupied, as it has been for awhile. The licensee paid for interior demolition, if you've

had an opportunity to see it, it's completely wide open and ready for development, but it would appear at the moment that the landlord and licensee are going to pursue separate tracks regarding the space and the license.

That's not to say that an entity could come along that would be able to reach an accord with both the landlord and the licensee on the sale, but at this moment they are not tethered by way of an offering, which is often the case when a license is being marketed.

CHAIR ANDREA JACKSON: Okay. Any questions?

FIRE CHIEF GERALD REARDON: No questions.

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 this

matter?

Seeing none, so your request, counsel, is to hold the license inactive for six months, is that correct?

ATTY JAMES RAFFERTY: Correct.

CHAIR ANDREA JACKSON: I make a motion that we hold the all alcoholic license for Cantabridgean Hospitality, doing business as Prospect, as inactive for 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.

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APPLICATION: MOKSA LLC, D/B/A MOSKA/NAGA

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: Moksa, LLC d/b/a Moksa/Naga, Renato Rodriguez, manager, holder of an all alcoholic beverages restaurant license and entertainment license at 450 Massachusetts Avenue has applied to extend their closing hour on Sunday, December 14, 2014 from 1 a.m. to 2 a.m. for an event.

CHAIR ANDREA JACKSON: Good evening.

SOLOMON CHOWDHURY: Good evening. Solomon Chowdhury, C-H-O-W-D-H-U-R-Y.

I'm one of the owners of Moksa, LLC. I apologize Renato couldn't be here. He's under the weather.

We have an event for Sunday the 14th, we are working with Greater Boston Thai Organization. It is more of a cultural show. They are expecting about 200 people.

CHAIR ANDREA JACKSON: I'm sorry, who are

you working with?

SOLOMON CHOWDHURY: Greater Boston Thai Organization.

THE REPORTER: Thai?

SOLOMON CHOWDHURY: T-H-A-I.

And they are expecting about 200 people. It is a four-hour cultural show including three different bands that's gonna take place, so we're looking to extend it for one more hour.

We can't start early because we have a theater upstairs.

CHAIR ANDREA JACKSON: You said you can't start an hour earlier?

SOLOMON CHOWDHURY: No, because there's a theater upstairs and we'll be disturbing the show upstairs.

CHAIR ANDREA JACKSON: Is this for, you said, four bands to come in?

SOLOMON CHOWDHURY: They have a cultural

show before the band, so there's three different bands that's playing after their cultural show, just a couple dancing and stuff.

EXECUTIVE DIRECTOR ELIZABETH LINT: Can I see the --

CHAIR ANDREA JACKSON: So that doesn't match the letter that was sent into the Board. It said that you were hosting a Korean pop band, Function T band.

SOLOMON CHOWDHURY: I think Renato had the information wrong.

I have the contract here, Greater Boston Thai Organization. He's been sick, so when he came in and dropped that letter, I think he was not sure, fully clear on what they had planned.

CHAIR ANDREA JACKSON: So who is sponsoring it because it sounds like you are saying something completely different than what we have in writing?

SOLOMON CHOWDHURY: I have the correct information. I think what information -- I think the confusion is the band that's playing.

I think the difference is he thought it was a Korean organization versus the information is Thai organization. I think that's when -- where the confusion is.

POLICE COMMISSIONER ROBERT HAAS: What's the name of the organization again?

SOLOMON CHOWDHURY: Greater Boston Thai Organization. They are working with -- also called Sky Entertainment and Rabbit Entertainment.

CHAIR ANDREA JACKSON: So when did you, if at all, recognize that the information that was submitted to the Board is different from what you are telling us this evening? So at any time, I guess, I'm asking, did you recognize that this letter was incorrect because you are giving us

this information now, and we've prepped for this hearing based on the information that we had previously received, not for what you are telling us now.

SOLOMON CHOWDHURY: Right. My apology because I think the letter was dropped off by Renato, he's the one who typed the letter, so I wasn't sure what was in the letter, and I don't really have a copy of it.

But I'm just looking at the detail of the contract, what I have here.

FIRE CHIEF GERALD REARDON: So are these guests presales or are they tickets sold at the door?

SOLOMON CHOWDHURY: It's presale tickets. It's the cultural organization. They are selling, preselling the tickets. They have some family members, family-oriented show at the beginning, and then it's going to be the band

that's playing after.

FIRE CHIEF GERALD REARDON: Will you be selling tickets at the door as well?

SOLOMON CHOWDHURY: No. We are not part of the tickets.

FIRE CHIEF GERALD REARDON: Are they selling tickets at the door?

SOLOMON CHOWDHURY: They might sell some tickets at the door.

FIRE CHIEF GERALD REARDON: My question is: I'm asking if someone can go up and buy a ticket at the door?

SOLOMON CHOWDHURY: If anybody comes up and there's a ticket available, yeah, they can.

FIRE CHIEF GERALD REARDON: And they handle the money and so forth or do you?

SOLOMON CHOWDHURY: Yes. No.

FIRE CHIEF GERALD REARDON: They do?

SOLOMON CHOWDHURY: They do, yes.

POLICE COMMISSIONER ROBERT HAAS: It is called the Greater Boston Thai Organization?

SOLOMON CHOWDHURY: Yep.

EXECUTIVE DIRECTOR ELIZABETH LINT: I don't see anything with that name.

POLICE COMMISSIONER ROBERT HAAS: I can't find anything by that name.

CHAIR ANDREA JACKSON: I see Thai Association of Boston.

SOLOMON CHOWDHURY: Those are the three groups that I have. It's under Greater Boston Thai Organization, Sky Entertainment and Rabbit Entertainment.

CHAIR ANDREA JACKSON: And Rabbit Entertainment?

SOLOMON CHOWDHURY: Uh-huh.

POLICE COMMISSIONER ROBERT HAAS: You spell sky S-K-Y?

SOLOMON CHOWDHURY: S-K-Y.

THE REPORTER: It's Rabbit?

SOLOMON CHOWDHURY: R-A-B-B-I-T.

CHAIR ANDREA JACKSON: R-A-B-B-I-T?

SOLOMON CHOWDHURY: Uh-huh.

CHAIR ANDREA JACKSON: So I know when I looked at Sky Entertainment, are they primarily a Reggae promoter?

SOLOMON CHOWDHURY: To be honest with you, I'm not sure what kind of music they are playing.

CHAIR ANDREA JACKSON: What I would like to propose is that we keep going on the agenda. We can continue this until at the very end of the hearing and give you time to go get us some more information because I don't think it's fair for everyone who is sitting here to wait for us to have to try to now figure out how to research and who you are bringing in.

So I would suggest that you take maybe 20

minutes out in the hall and see if you can figure out who is coming in and then you can come back to the table toward the end of the hearing.

But I just know that what I looked at, which was this, this is definitely not what you are telling me right now.

SOLOMON CHOWDHURY: Okay.

EXECUTIVE DIRECTOR ELIZABETH LINT: I did find something on Sky.

CHAIR ANDREA JACKSON: I just don't want everybody to have to sit and wait.

POLICE COMMISSIONER ROBERT HAAS: It's mostly Korean it says.

EXECUTIVE DIRECTOR ELIZABETH LINT: Asian.

POLICE COMMISSIONER ROBERT HAAS: It's primarily Korean.

CHAIR ANDREA JACKSON: So let's go ahead and call -- let's do Winding Road Abigail's.

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REVIEW: WINDING ROAD, LLC, D/B/A ABIGAIL'S

EXECUTIVE DIRECTOR ELIZABETH LINT: Winding Road, LLC, d/b/a Abigail's, James Ludwig, manager, holder of an all alcoholic beverages restaurant license and entertainment license at 291 third street due to the License Commission's April 28, 2014 vote on your application to amend the entertainment license.

CHAIR ANDREA JACKSON: Is there anyone here from Abigail's?

Seeing none --

EXECUTIVE DIRECTOR ELIZABETH LINT: I spoke with them, someone from there this afternoon, and they were going to bring a letter from the landlord regarding the permission to be there and said that James Ludwig was going to be here.

CHAIR ANDREA JACKSON: We can put them at

the end as well, and I will go on the record to say I'm not happy with their level of, I should say, lack of responsiveness to the Board.

Go ahead. We can call the next matter and go back to them.

EXECUTIVE DIRECTOR ELIZABETH LINT: Out of the Blue or Guggy?

CHAIR ANDREA JACKSON: You can do Out of the Blue.

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APPLICATION: TOM TIPTON D/B/A OUT OF THE BLUE TOO

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: Tom Tipton, d/b/a Out of the Blue Too, has applied for an antique store license at 541 Massachusetts Avenue. Said license, if approved, will give permission to be a dealer and keeper of a shop for the keeping, purchase and storage or sale of secondhand furniture, bric-a-brac, art objects, paintings, jewelry, or

antiques.

Applicant is also applying for an entertainment license to include light show, dancing exhibition, reading of poetry and other works, live music with music and background music.

CHAIR ANDREA JACKSON: Good evening.

If you could both please state your name for the record spelling your first and last names.

HOPE ZIMMERMAN: My name is Hope Zimmerman, Z-I-M-M-E-R-M-A-N.

TOM TIPTON: Tom Tipton, T-O-M T-I-P-T-O-N.

CHAIR ANDREA JACKSON: I know that you have previously been in front of the Board.

HOPE ZIMMERMAN: Yes.

CHAIR ANDREA JACKSON: Ms. Lint, am I correct in saying that there were still questions

and concerns raised by the Fire Department that have not been addressed, even as we speak?

EXECUTIVE DIRECTOR ELIZABETH LINT: I think things were attempted to be addressed. According to Captain Cahill, they were not properly addressed. The Chief could elaborate.

FIRE CHIEF GERALD REARDON: That pretty much sums it up.

CHAIR ANDREA JACKSON: So there's still issues that need to be addressed?

FIRE CHIEF GERALD REARDON: Unfortunately, I think it is a large space, and we understand it's a temporary thing, but I can't relinquish my authority to turn around and do what is required under the law, even though it is a temporary thing, and we empathize with what you're trying to do, but that alarm system that you have right now, you know, doesn't meet muster.

HOPE ZIMMERMAN: What is it that is wrong with the alarm system? We haven't really been told what we need to change.

FIRE CHIEF GERALD REARDON: The permit wasn't pulled. It wasn't approved. And I talked to Captain Cahill this afternoon. I don't know what that system is, but it doesn't meet any code.

It is tied into an electrical panel. It doesn't have -- they have to have -- Captain Cahill has been trying to get you to get to the minimum so you can do what you want to do, and we would like you to do what you want to do, but this particular one, it appears this person has no idea what they did in terms of installing a fire alarm.

I'm sure the person had well intentions but I'm not even sure -- based upon the work, I'm not even sure he has a license.

It would've been to your betterment to go to the Fire Department and show them what you are doing so that whatever you got done, was done the first time right, and, you know, this may cost you more money than had you just got it done and approved the first time.

You know, they are there to help you the best they can, but it has to meet the minimum codes.

HOPE ZIMMERMAN: No, no, I understand. We are trying to do that.

FIRE CHIEF GERALD REARDON: I know.

Captain Cahill feels badly but that's obviously --

HOPE ZIMMERMAN: You know, nothing against anything, I just obviously had more of a vague understanding of what I thought -- you know, I was told two pull stations, you know, three light-and-noise alarms. We even added

four, rather than three, to make sure we did the extra step.

I wasn't aware that the panel that we were working with wasn't even something that should be worked with.

FIRE CHIEF GERALD REARDON: Correct, and obviously, whoever did the work for you, they might have had the greatest intentions --

HOPE ZIMMERMAN: They are Massachusetts licensed but they live on the Cape, so it is a different city that they work in normally.

FIRE CHIEF GERALD REARDON: Still, I mean, it --

HOPE ZIMMERMAN: I'm not an electrician. I don't know.

FIRE CHIEF GERALD REARDON: I don't want to make comments on your electrician.

HOPE ZIMMERMAN: It is an old friend of mine who is licensed and did us a favor. So I

paid for parts, not labor.

FIRE CHIEF GERALD REARDON: Right.

HOPE ZIMMERMAN: I'm not in deep price-wise on what has been done.

FIRE CHIEF GERALD REARDON: So the pull stations have to be near the exits. And one of them is 30 feet in.

HOPE ZIMMERMAN: Well, the one that's inside, he said that was the closest wall to the exit and to put it there, and he asked me why it was on that wall, and I told him that's exactly where he told me to put it.

I don't know -- he obviously doesn't remember that conversation because I don't -- because there's no other wall near the door. The door is like floating in the middle, it is all glass, so there's nowhere else we could actually physically put the other pull station.

FIRE CHIEF GERALD REARDON: Well,

unfortunately, we can't pass it the way it is. The thing is, someone get up to Fire Prevention, just get someone to pull a permit for you, we will make sure someone approves it, and in which case there's no ambiguity about where it goes because we'll make sure it's --

HOPE ZIMMERMAN: Do you have someone to recommend that we call that we could -- I mean, I don't know where to go.

FIRE CHIEF GERALD REARDON: We can't really recommend. Obviously, they have to be licensed and they have pull a permit and we'll review it, so that it protects you at the end the day, that what they are doing is going to meet it, but it has to make some sort of notification to somewhere. It just can't be a local alarm because you have a club and it's an occupancy.

It has to tie into someone's panel who is monitoring it that's going to make a call in case

it is after hours or whatever. So it just can't make the noise in the room, it has to make a notification so it has to tie into a panel of some sort.

HOPE ZIMMERMAN: The panel that's there isn't tied into anything.

FIRE CHIEF GERALD REARDON: It appears to be an electrical panel, and this is just a source of power for the alarms and they don't go anywhere.

TOM TIPTON: What is -- on the outside of the building there's some kind of a box.

HOPE ZIMMERMAN: It doesn't matter.

TOM TIPTON: Would it have to do with the Fire Department, is that --

FIRE CHIEF GERALD REARDON: It may be for next door, the building, the main building.

My suggestion is, get ahold, pull a permit, get someone who's gonna come in to just

do what you need to do, we'll get reviewed for you, we'll try to get it done most expeditiously as possible.

HOPE ZIMMERMAN: So the events we have been planning for two months for this weekend thinking that we were doing everything right we have to cancel?

FIRE CHIEF GERALD REARDON: I'm afraid so.

TOM TIPTON: Will the -- this is kind've a question: Will the Fire Department come over and tell us exactly what we need to do?

FIRE CHIEF GERALD REARDON: No.

You get a fire alarm company who pretty much knows. They can come down and get the permit and they'll submit a drawing, it doesn't have to be an architectural drawing, but it will be a drawing of what they need to do, we'll approve it, so then when you get it done, as long

as the work is proper, then that's going to get approved.

TOM TIPTON: How close to the door does that pull need to be?

FIRE CHIEF GERALD REARDON: It's supposed to be within the vicinity of the door so as you are exiting the room, you can pull the fire -- a pull station and not run back into the room to try to make notification.

TOM TIPTON: Near the door?

FIRE CHIEF GERALD REARDON: Near the door. And obviously, there are exceptions on certain areas because of location, but it has to be pretty much near the exit doors.

HOPE ZIMMERMAN: It is -- I mean, obviously, it doesn't matter because it is not tied into the right panel, but the actual pull station itself is in the closest wall towards the door because it is all glass, that whole entire

front is glass and metal bars, and there's actually nowhere to physically put it.

FIRE CHIEF GERALD REARDON: They can --

TOM TIPTON: It could be made to go somewhere.

HOPE ZIMMERMAN: You think so?

TOM TIPTON: Yeah.

Screw a hole in the middle.

HOPE ZIMMERMAN: I guess that we just have to deal with that. We'll be in touch. Thank you for your patience with us.

CHAIR ANDREA JACKSON: I'm make a motion we continue this matter to the December hearing.

How long do you think you will need? I just don't want to schedule you for the December 18 hearing if you don't think you are ready.

HOPE ZIMMERMAN: I'm gonna make phone calls tomorrow and try to get this in.

The other thing is, too, once we have

this done and have the Fire Department approved we can apply for daily licenses if we have other events planned until the meeting, is this a correct statement?

CHAIR ANDREA JACKSON: One-day licenses, it has to be up to a certain number.

FIRE CHIEF GERALD REARDON: How large a group?

HOPE ZIMMERMAN: It would be under the capacity that you guys have given us.

FIRE CHIEF GERALD REARDON: What is that number?

HOPE ZIMMERMAN: It was 99 if we serve alcohol, and 290 if we don't.

We could just stick to the under 99, period.

FIRE CHIEF GERALD REARDON: If it doesn't have a proper fire alarm for the occupancy, then we can't even give you a one day.

HOPE ZIMMERMAN: No, no, I'm saying, once I get it done, so let's say I can actually get someone to do it this week, can we start getting daily licenses even though like our meeting isn't until January per se?

FIRE CHIEF GERALD REARDON: I would think, assuming you get it approved and you meet the standards of the License Commission for the one day.

EXECUTIVE DIRECTOR ELIZABETH LINT: They need to meet your standards.

HOPE ZIMMERMAN: If we got a fire detail for our event this weekend, would we be able to if we paid for a fire detail?

EXECUTIVE DIRECTOR ELIZABETH LINT: Expensive.

HOPE ZIMMERMAN: How much would --

FIRE CHIEF GERALD REARDON: It is like $40 an hour.

TOM TIPTON: We would be able to do it?

HOPE ZIMMERMAN: A four-hour event.

FIRE CHIEF GERALD REARDON: Why don't you come in and just give us particulars on --

HOPE ZIMMERMAN: So I'll come in tomorrow and talk to you about that?

FIRE CHIEF GERALD REARDON: Yeah, we'll look at that. I mean, I would rather you have a fire alarm system and not do this. I understand you are under the -- we'll see what we can do.

HOPE ZIMMERMAN: One of the events has already found a back-up but one of them we have nothing to move it to, so --

FIRE CHIEF GERALD REARDON: All right.

TOM TIPTON: We will do our best to get this taken care of.

HOPE ZIMMERMAN: A personal event I put together.

FIRE CHIEF GERALD REARDON: All right,

let me see what we can do in terms of, you know, safely accommodating your request.

HOPE ZIMMERMAN: Yeah, I mean, I'll pay out of pocket for that because it is my event I put together with my crew.

TOM TIPTON: We're gonna do our best to take care of this and maybe get that daily and shoot for December 18.

CHAIR ANDREA JACKSON: We're gonna make a motion that we continue this matter -- I make a motion that we continue this matter to our Decision Hearing on December 18.

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: Good luck.

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APPLICATION: GUGGY, LLC, D/B/A STUDIO, MANTA.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Guggy, LLC d/b/a Studio Mantra, Sarabjeet Pabla, manager, has applied to transfer of the all alcoholic beverages restaurant license currently held by F&D restaurant corporation, Donald Holland, manager.

The proposed hours of operation are 11 a.m. to 1 a.m. Sunday through Wednesday and 11 a.m. to 2 a.m. Thursday through Saturday and a proposed seating capacity of 82.

Applicant is also applying for a change of location from 21 Brookline Street to 577 Massachusetts Avenue of the pledge of license, and an entertainment license to include dancing by patrons, live music with amplification; DJ audio tape machine/CD playing music below, at or above conversation level, 6 TVs.

CHAIR ANDREA JACKSON: Good evening.

ATTY JON AIETA: Good Evening, Madam Chair and Members of the Board.

My name is Jon Aieta, J-O-N A-I-E-T-A. I'm at Cassis & Cayer, 18 Russell Park in Quincy. This is Sarabjeet Pabla.

SARABJEET PABLA: My spelling S-A-R-A-B-J-E-E-T. Last name Pabla, P-A-B-L-A.

ATTY JON AIETA: Again, as mentioned before, we're here on the application for a transfer from F&D Restaurant Corp.

Present here as well is James Rafferty, counsel for F&D Restaurant Corp, as well as Donald Holland of F&D Restaurant Corp, the seller.

This is a transfer from of an existing license to a new location, the new location is 577 Massachusetts Avenue, and there's also, I don't want to fail to mention, a pledge of the

license, as Mr. Rafferty reminded me, as well as an application for a new CV and entertainment license.

By way of background, Ms. Pabla, along with her sister-in-law, who is Dalvinder Pabla, they are both 50/50 owners, member managers of the LLC. Sarabjeet is also the proposed manager of record.

Combined they have over 40 years experience in the restaurant and food industry. Sarabjeet is -- also has experience in the liquor industry working and managing and supervising a restaurant in Somerville, Diva Indian Bistro, for approximately five years.

And she is presently the owner/operator of Shalimar Food and Spices, which is a retail store, which sells Indian food, gourmet spices, that's located on the first level of this building, which I think the address is 571 --

SARABJEET PABLA: 571.

ATTY JON AIETA: -- Mass Ave.

In the back of that location she also operates Dosa Factory, which is a small restaurant that specializes in traditional Indian street food and has had operated that for approximately five years. Shalimar Food and Spices for the last 17 years.

So she has been involved in the community and owner and involved in the Central Square business area as well as being a longstanding member of the community both as an owner and operator at this location.

She is looking into the 21 Proof training as well as the crowd management training. She definitely anticipates by the time that the building is complete and the build-out is complete, she will have that.

I would also like to point out any staff

that would be handling alcohol or serving alcohol would also have the 21 Proof training as required.

The reason this came about, Dosa Factory, as I mentioned, so it's traditional Indian food, but it is street food, it is more like finger-food-type things, and they have grown a very good following.

There's been talks in the last few years from some of the customers actually looking for them to expand and try different things.

The space there is limited in terms of the first floor, they can only do so much, but have always kept things in mind as to whether they can expand and grow on that business experience.

The existing customers mentioned to extend hours, to add alcohol, things like that, it was never feasible in the existing Dosa

Factory space.

The second floor space, which is going to be at 577, had become available, an opportunity had arose and instead of expanding the Dosa Factory, they are looking to work off that success and go in a different direction, and which is Studio Mantra, and the concept there is new to Cambridge.

It is French cuisine with Indian influences, so it's really a French-and-Indian fusion. What they are looking to do is have small plates, the tapas, and they want to have a real modern feel, a fresh, light experience, you know, fun atmosphere. With the space upstairs its approximately 2800 square feet, and what's being proposed are 82 total seats. There's 66 seats in booths, and about 16 seats at a bar, which is for sit-down bar experience.

I have a couple hand-outs that my client

put together. These are concept ideas. It does have some menus in the back and talks about their past experience and what they are looking to do.

Again, they have run quality businesses in the past. They run an excellent retail store and a restaurant. They are looking to expand on that. They love the location. They love the neighborhood.

They want to give back to the customers that have been asking to expand, to broaden their horizons and to include the service of alcohol, and as I said, this is an opportunity that came up to have that second-story space available.

As it is, you know, presently, obviously there's work to be done there. They will be installing an elevator.

The kitchen right now is on the first floor. That's going to also service the upstairs restaurant. They will have a dumb waiter bring

the food up to that second story, which primarily consists of a dining room and small bar area, as I mentioned, as well as a handicapped-accessible bathrooms.

We also have the request for the entertainment. What they are looking to do on that end, they have requested some live music, it would be predominantly jazz music, again, they are looking for a modern kind of contemporary feel.

They feel jazz music would fit in well with the French cuisine, which has the Indian influences.

They would be requesting six TVs, CD player and/or music as well as dancing by patrons on occasion as well an occasional DJ.

These would be every once in awhile. It wouldn't be set every Thursday and Friday night they would have that. If there was an

opportunity if they could get local talent from around, they would be looking to have that as -- add to the atmosphere here, and I think that would be very successful.

The only thing I want to add in terms of the timing, everything is correct as stated, they would like the option on Saturday and Sunday to be open for brunch at like 9 a.m., so I don't know if on the common victualer that's considered breakfast or -- I know we checked off 11 a.m., but the applicant would like to add, if we could amend that, to 9 a.m. on Saturdays and Sundays to throw in a brunch option.

If the Board has any questions or any comments, we would be happy to answer.

CHAIR ANDREA JACKSON: You said that the kitchen was going to be on the first floor.

ATTY JON AIETA: There's an existing kitchen now that's used also by Dosa Factory,

which is just a common victualler license.

The front of the house is the Shalimar Food Spices, the retail store, and the back left is the kitchen, and in front, right immediately in front of that is the Dosa Factory seating.

POLICE COMMISSIONER ROBERT HAAS: Is the kitchen going to be large enough to accommodate both operations?

ATTY JON AIETA: They feel it will be because they are doing the tapas, the small plates, and they've had such success there they feel they're gonna bring the right people in and I think Dosa shuts down at 9 or 10 p.m.

SARABJEET PABLA: 10 p.m.

ATTY JON AIETA: And they feel because of that, they can accommodate both.

CHAIR ANDREA JACKSON: What is the seating capacity for Dosa?

ATTY JON AIETA: For Dosa --

SARABJEET PABLA: Approximately 45.

CHAIR ANDREA JACKSON: You are looking for a seating capacity for Studio Mantra of 82?

ATTY JON AIETA: 82, correct.

CHAIR ANDREA JACKSON: Do you have a floor plan for the second floor as well?

ATTY JON AIETA: That should be in the packet.

CHAIR ANDREA JACKSON: Is that, that one with the tiny, tiny font?

ATTY JON AIETA: The version I don't have doesn't have tiny font, it has blurry font.

EXECUTIVE DIRECTOR ELIZABETH LINT: This has blurry, tiny font.

CHAIR ANDREA JACKSON: On that floor plan I couldn't figure out if you are saying there's going to be a dance floor, I couldn't figure out where the dance floor is going to be.

ATTY JON AIETA: So if I can hold it up,

the bay of windows in the front, and this is Mass. Ave, there's dining booths here and they set up what they describe here as a DJ booth. It is really just a set-up. This area here would be the open area where they could potentially be a few --

CHAIR ANDREA JACKSON: I'm sorry, where are you pointing at?

ATTY JON AIETA: The area immediately beyond the bank of windows here, this open space here, would be an area where there would be any dancing. It is not a huge space. It is probably 300 or 400 square feet is my guess. Maybe less.

Again, it is more of an accessory use on certain occasions. It is not something on the majority of the evenings that would happen. It's just they would like the ability to do so and capture that kind of atmosphere and ability to do so if they think it is going to be an fun,

vibrant location.

CHAIR ANDREA JACKSON: And the total occupancy number for that space is 160?

ATTY JON AIETA: Again, that's based on what the architects have drawn up.

That's -- I'm sure its subject to final review by the different boards, but that's the number we were given.

FIRE CHIEF GERALD REARDON: Is this a full-service kitchen you have here downstairs?

ATTY JON AIETA: Yes, it is.

FIRE CHIEF GERALD REARDON: Is there a fryolator there also?

SARABJEET PABLA: Yes.

CHAIR ANDREA JACKSON: And that's in the back of Shalimar, correct?

SARABJEET PABLA: Yep.

CHAIR ANDREA JACKSON: So then also back there is Bao Nation, is that correct?

So how does Bao Nation play into this, or does it?

SARABJEET PABLA: The Bao Nation is a different concept. This is like an Asian, it's like a small sandwich, like a finger food.

CHAIR ANDREA JACKSON: Am I correct in saying, and I could be wrong, but, Ms. Lint, was there an issue with Inspectional Services as it related to Bao Nation that they didn't pull permits to do the work?

EXECUTIVE DIRECTOR ELIZABETH LINT: That's correct.

They originally had done the work in the back of Libby's and that was not permitted, and then they were required to pull it out and it wasn't taken out at the time it was supposed to be, and then the permits weren't pulled for Bao Nation.

ATTY JON AIETA: My understanding is that

has been taken care of.

EXECUTIVE DIRECTOR ELIZABETH LINT: It has been now.

CHAIR ANDREA JACKSON: It has been now but I guess, to me, that's still somewhat of a concern that work was done without a permit and they were told on more than one occasion to correct it, and it wasn't done.

ATTY JON AIETA: Right.

CHAIR ANDREA JACKSON: And they had to be shut down in order to make sure that the permits were pulled, and that was really after the fact.

ATTY JON AIETA: Right, and I think they are aware of that. They know that's not the case. This is a -- it shouldn't matter, the size of the operation, but this is obviously a larger undertaking, and they've already hired architects, consultants, and you know, the various people that are needed to get the

appropriate permitting in place.

CHAIR ANDREA JACKSON: But I guess to continue in that vein, I guess my concern is that if they follow proper protocol with that, why would we want to go forward with opening up an establishment and have that risk of that they are not going to follow protocol with that either?

ATTY JON AIETA: I think anything done here this evening would be subject to, you know, all the inspections and approvals by the various boards, they would -- clearly if they think that something has been done jumping the gun, if you will, in terms of getting work done without prior permits, then ultimately the Board would have that final decision, and you know, I can -- I'm sure I can speak on their behalf, knowing the severity of the matter, I think they hopefully will realize the gravity of the situation and not do that again, obviously, and again, this is a

build-out, they have to -- they have to do everything and follow everything to the letter, so --

CHAIR ANDREA JACKSON: I don't know if I'm convinced, counsel, and I just say that only because I know that the investigator from my office had to do go down there on at least three occasions to talk to them about the work that was done, and Inspectional Services went down several times to talk about the work that was done.

It should only have taken one trip to say, This is wrong, fix it, not multiple, and almost an in-your-face-we're-gonna-do-what-we-want-do, and that concerns me.

ATTY JON AIETA: Rightfully so, and I would apologize on their behalf for that.

I think Ms. Pabla is here and she can speak to that as well.

But certainly they know that they are under close scrutiny, they know they cannot do anything without proper permits, and they also don't want to waste the time of the various departments either having to come out and make multi-inspections or not and check on stuff that should have been done.

So to that end, I could say that -- just say this is a new undertaking, and hopefully, they can start fresh with the Board and the different departments and prove to them that they can do what is appropriate.

SARABJEET PABLA: I really apologize for that.

FIRE CHIEF GERALD REARDON: I have a lot of concerns about the kitchen area serving 127 seats with the size of it and it is downstairs.

ATTY JON AIETA: 127 meaning both the facilities?

FIRE CHIEF GERALD REARDON: Uh-huh.

SARABJEET PABLA: We close at 10:00.

CHAIR ANDREA JACKSON: If you can speak up.

SARABJEET PABLA: I'm sorry. We close our doors at 10:00. And the dining upstairs is after that, so I think this is different job. The timing is totally different.

ATTY JON AIETA: There's also a prep area as well. A lot the food is prepared ahead of time. Some of the food is prepared ahead of time for Dosa.

CHAIR ANDREA JACKSON: So you are saying Dosa closes at 10:00, but yet, you are looking for hours that are 11 a.m. to 1 a.m. for Studio Mantra, so I don't understand what the 10:00 closing of Dosa means.

SARABJEET PABLA: No, for the customers of the Dosa Factory, like customers who come for

the Dosa Factory, that close for the customer, but not for the Mantra, Studio Mantra. We have kitchen open openly for the Studio Mantra, not for the Dosa Factory.

CHAIR ANDREA JACKSON: From 10 p.m. on?

SARABJEET PABLA: Yeah.

CHAIR ANDREA JACKSON: So what happens if you're looking for hours of 11 a.m. to 1 a.m., so what happens during that time when both Dosa and Studio Mantra are open?

SARABJEET PABLA: It's mostly the customers come around like 9, 9:30. After that, we have like the cleaning time starts, so I think this is the time, 10:00, is enough time for the closing for the Dosa Factory and the Studio Mantra.

ATTY JON AIETA: She's saying there's certain lulls. With the Studio Mantra, it would be probably set times that they would expect a

lunch crowd, a dinner crowd, and again, the food is different they feel that they can prepare because it's a tapas place, small plates. It doesn't require as much kitchen space per se.

They feel that they are going to have the appropriate chefs in there, and have done so in other locations on different concepts and feel it could work fine there.

Again, it is a different type of food preparation. The Dosa Factory doesn't require as much kitchen space, and it will be shutting down at a certain point and then, you know, would be able to be -- the Studio Mantra would be able to utilize the entire kitchen.

FIRE CHIEF GERALD REARDON: There's large numbers of hours here, counsel, where they are both open.

ATTY JON AIETA: I agree. I agree.

They feel that they have done the math in

terms of the space the need, the dishes they want to prepare, and they that feel because it is one kitchen, they can work hand-in-hand and facilitate that. It doesn't have to be -- a lot of the dishes -- again, it is geared on Indian spices, the Studio Mantra is, so they feel they can incorporate that and use what's already there and have it be able to work.

FIRE CHIEF GERALD REARDON: So what do you estimate the food-to-alcohol ratio is going to be at Mantra?

ATTY JON AIETA: The estimates would be food would probably be in the range of 70 percent, alcohol would be 30 percent.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No.

CHAIR ANDREA JACKSON: Do you have any questions?

POLICE COMMISSIONER ROBERT HAAS: No

questions.

CHAIR ANDREA JACKSON: Again, this is on the second floor, you said, are you putting in an elevator?

ATTY JON AIETA: Yes, an elevator will be installed. There's also a main entrance, stairway, from Mass. Ave entrance, there's also an egress stairway out the back towards the rear of the building and parking lot area.

POLICE COMMISSIONER ROBERT HAAS: What is above the restaurant, the proposed restaurant?

ATTY JON AIETA: Right now?

POLICE COMMISSIONER ROBERT HAAS: Yeah.

ATTY JON AIETA: It was just office space. It's a two-story building.

POLICE COMMISSIONER ROBERT HAAS: So that's what's in the present space where the restaurant's gonna be or is this the space above it?

ATTY JON AIETA: The second floor is office space, which is what they're going to be renovating. I think the bathrooms are staying, a few things are staying, but it was office space.

POLICE COMMISSIONER ROBERT HAAS: Are there any residences in the near proximity of the restaurant?

ATTY JON AIETA: Everything is retail immediately left and right of it.

POLICE COMMISSIONER ROBERT HAAS: Nothing behind it?

ATTY JON AIETA: There's the parking lot behind it, and you get off onto, is it, Bishop Allen Drive, I think it's beyond that.

CHAIR ANDREA JACKSON: So there are no longer any offices in that space?

ATTY JON AIETA: I don't --

ANISH RAMDEV: Two offices.

ATTY JON AIETA: Two offices that are

still there, I guess, that will remain.

CHAIR ANDREA JACKSON: I have no more questions.

I was going to open it up for the public.

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

Sir, if you can please come forward.

CHAIR ANDREA JACKSON: Oh, no, not you, Mr. Goldberg. The gentleman behind you. I'll get to you in a second, Mr. Goldberg.

ATTY WILLIAM GOLDBERG: But I'm a member of the public.

CHAIR ANDREA JACKSON: Oh, I know, but he had his hand up. I was recognizing him first. I will get to you, I promise, in one second.

ATTY WILLIAM GOLDBERG: I apologize. I'll defer.

CHAIR ANDREA JACKSON: Thank you.

Good evening.

PATRICK VERBEKE: Good evening. My name is Patrick Verbeke, V-E-R-B-E-K-E. I live around -- I'm a resident.

CHAIR ANDREA JACKSON: And if you could speak up.

PATRICK VERBEKE: I'm a Cambridge resident, I eat around Central Square, I'm a regular customer at Dosa Factory and more recently Bao Nation.

I know the Pabla family, and I know them to be a member the business community in the Central Square for a great many years, and I think this project, this concept, I think will be a nice addition to the already rich environment in Central Square both in terms of choices of food and entertainment, so I think it is good concept. It's a good idea.

CHAIR ANDREA JACKSON: Thank you.

Mr. Goldberg?

ATTY WILLIAM GOLDBERG: Hi, I'm William Goldberg, 620 Massachusetts Avenue Cambridge. I'm.

I'm not a resident of Cambridge, although I spend more than six months a year at 620 Massachusetts Avenue, Cambridge, so that may qualify me to be a permanent resident.

One of the things that perhaps is observable and noticeable to the Board is you are dealing a family that has businesses for so long in the Central Square area. They are not going to move out. They found a place in Central Square. I believe in the operation of their businesses, there may have been some wrong turns but they have tried to improve the Central Square area.

So that's a very important factor that the Board should consider. They are here permanently, and they've got some successful

businesses, they want to utilize empty space for a concept that I believe will be successful to the younger person, and older, in the Central Square area.

Parenthetically, I understood the comments with regards to pipes, water pipes, et cetera, that were installed. That could've been a mixed communication. At that time, I represented Amrik (phonetic) Pabla, I believe it wasn't intentional, I think there may have been a miscommunication that prompted him to get started on that factory, but the pipes were removed, it's back to the same condition it was, and now he's engaged in a new project, which should be successful for the younger element in the Central Square area and fills up some valuable space and utilizes the license that is presently unusable -- unused, so I welcome the Board's serious consideration about what counsel has

presented to you for the project, and I believe that they'll conform to every health code, any fire codes in order to open and operate a successful enterprise. Thank you.

CHAIR ANDREA JACKSON: Thank you.

Are there any other members of the public that wish to be heard in this matter?

Seeing none --

EXECUTIVE DIRECTOR ELIZABETH LINT: Backgrounds are in order and I did have a letter from the gentleman that just spoke and I have two other letters as well. One from James Hill, who was the owner of the property, and he supports the application. He believes Studio Mantra will be a great addition to the Central Square neighborhood adding to its thriving food scene.

I also have a letter from Robin Lapidus, Executive Director of the Central Square Business Association, who says that the Association

supports the request of Studio Mantra to transfer a 7-day liquor license and obtain an entertainment license to operate at 575 Mass. Ave. I believe she meant 577 Mass. Ave. "For many years the principals of One World Cuisine and Guggy, Inc. have been contributing members of the active mix of the businesses invested in Central Square. Throughout their long history of conducting business in the Square, they have reinvented themselves several times to remain an exciting dining and shopping destination.

They have been active members of the association consistently supporting various food-related benefit events, helping provide food to neighbors in need, contributing to the lights on in Central Square in all its growing pains to becoming a livelier retail district."

They urge you to support this active new business in the square.

And also a letter from Kenneth Barron from Caru Associates who supports the application as well.

He believes Studio Mantra will be a great addition to the Central Square neighborhood adding to its thriving food scene.

FIRE CHIEF GERALD REARDON: Counsel, could you have your client just talk about some of the other locations and size in relationship, history of -- in terms of experience in the other businesses they have?

ATTY JON AIETA: Sure. I guess the Somerville business you worked at, can you talk to that?

SARABJEET PABLA: Somerville, Diva Indian Bistro, 246 Elm Street, I work like a couple years over there with the helping like the event of the New Year's parties or like -- so we do have a Jamaica Plain restaurant, it is Bukharian

Indian bistro in Jamaica Plain.

ATTY JON AIETA: What about size I guess he's asking you about, similar size?

SARABJEET PABLA: Similar size. 75 to 150.

ATTY JON AIETA: 75 to 100 seats?

SARABJEET PABLA: Yeah.

FIRE CHIEF GERALD REARDON: And is the kitchen area on those similar or larger than what you are trying to do here?

SARABJEET PABLA: Larger than the Dosa Factory.

FIRE CHIEF GERALD REARDON: Do you feel that there's a need to increase the size of the kitchen at Dosa to deal with this?

SARABJEET PABLA: Yes, we do have plans like we are making the kitchen bigger and expand.

FIRE CHIEF GERALD REARDON: You are expanding the kitchen?

SARABJEET PABLA: Yeah. If I get the license so we can have a plan to make it a bigger. Shalimar goes into the basement and we expand the kitchen for the both concepts.

FIRE CHIEF GERALD REARDON: I'm not in the business, but it seems as though there's a lot of seats being served by it, although it is a full-service kitchen, it seems to be somewhat smaller than the average ones we see.

SARABJEET PABLA: Different concept, different food. Like Dosa Factory is like a totally like a street food south Indian. Bao Nation is a -- like an Asian one and people they come and grab the food and like finger food.

ATTY JON AIETA: Does Dosa have 45 seats or 45 occupancy, do you know?

ANISH RAMDEV: 45.

CHAIR ANDREA JACKSON: Sir, would you please identify yourself for the record. This is

second time you've spoken and I need to get you identified.

ANISH RAMDEV: I'm sorry. Sure.

My name is Anish Ramdev. A-N-I-S-H R-A-M-D-E-V, as in Victor. I'm a CEO of --

ATTY JON AIETA: The LLC --

ANISH RAMDEV: I do own the LLC as well.

EXECUTIVE DIRECTOR ELIZABETH LINT: I couldn't understand anything they said. They were talking over each other.

THE REPORTER: I agree. Ummm. Yeah.

Sir, spell your first name.

ANISH RAMDEV: A, as in apple, N-I-S-H.

THE REPORTER: Last name?

ANISH RAMDEV: R-A-M-D-E-V, as in Victor.

CHAIR ANDREA JACKSON: And your relationship to this applicant?

ANISH RAMDEV: I am the CEO of the company.

ATTY JON AIETA: He's also a brother-in-law.

SARABJEET PABLA: My brother-in-law helping me.

FIRE CHIEF GERALD REARDON: So Dosa does a lot of sandwich-type wraps and --

SARABJEET PABLA: Like --

FIRE CHIEF GERALD REARDON: Is a lot of that prepared, pre-prepared, or prepared in advance?

ATTY JON AIETA: Some of the ingredients are, yeah, that's what they were talking about. I think a lot of the -- my understanding is it's like a crepe.

SARABJEET PABLA: Indian crepe.

ANISH RAMDEV: Yeah, well, basically the southern Indian food that we do at the Dosa Factor, it's prepared downstairs in the basement, we do have a prep area. So most of it is not

cooked. It's cooked on the spot, which is basically a crepe that we make as the order comes.

So the most of the kitchen that is used right now is going to be used for Mantra upstairs.

But we do plan to expand it a little bit, not much, but we will be taking the steps to do it after the Board approves us.

FIRE CHIEF GERALD REARDON: How are you going to have food runners run it up?

ANISH RAMDEV: We have the dumb waiter, as well as the elevator.

FIRE CHIEF GERALD REARDON: Are you adding a dumb waiter in now?

ANISH RAMDEV: Yes, it's in the plans.

CHAIR ANDREA JACKSON: You haven't done any of the build-out of the space?

ANISH RAMDEV: We have not touched the

space.

ATTY JON AIETA: No.

POLICE COMMISSIONER ROBERT HAAS: Who is holding the pledge on the license?

ATTY JON AIETA: It's backed to F&D Restaurant Corp., the prior owners. It is a seller-financed note.

POLICE COMMISSIONER ROBERT HAAS: Uh-huh.

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

SARABJEET PABLA: No.

CHAIR ANDREA JACKSON: What was your involvement with the restaurant in Somerville?

SARABJEET PABLA: I'm sorry?

CHAIR ANDREA JACKSON: Was there a restaurant in Somerville you said you had some involvement with?

SARABJEET PABLA: Because this is like a family, it is my husband, he work over there, he

long-term at that restaurant, and I work with like starting of the restaurant so when the start, open the restaurant, I work two years over there, and after the legal license like, I totally, like, did some of the parties event or like --

ANISH RAMDEV: Special events.

SARABJEET PABLA: Special events, so I help over there.

FIRE CHIEF GERALD REARDON: Did these other locations have liquor licenses as well?

ANISH RAMDEV: Yes.

FIRE CHIEF GERALD REARDON: All of them?

ANISH RAMDEV: Yes. Some beer and wine, some full alcohol.

CHAIR ANDREA JACKSON: Are you listed as a director for the Somerville restaurant as well?

SARABJEET PABLA: No.

ANISH RAMDEV: No.

POLICE COMMISSIONER ROBERT HAAS: And the Jamaica Plain restaurant, what is your relationship with that?

SARABJEET PABLA: That's also is a family business restaurant.

ATTY JON AIETA: You are not on the --

SARABJEET PABLA: Not on the --

ATTY JON AIETA: -- corporate paper. Just as an employee.

POLICE COMMISSIONER ROBERT HAAS: So you have a total of -- there's two restaurants, one in Somerville and one Jamaica Plain that are held by family members?

ANISH RAMDEV: There's another one in the South End, sir.

POLICE COMMISSIONER ROBERT HAAS: And then the Dosa Factory is your restaurant?

SARABJEET PABLA: Yes.

POLICE COMMISSIONER ROBERT HAAS: And

this restaurant will be your restaurant?

SARABJEET PABLA: Yes.

POLICE COMMISSIONER ROBERT HAAS: And the other establishment they were talking about, what is that --

ANISH RAMDEV: Diva is in Somerville.

POLICE COMMISSIONER ROBERT HAAS: No. The one that -- what was the establishment you talked about where you had concerns about?

CHAIR ANDREA JACKSON: Bao Nation.

POLICE COMMISSIONER ROBERT HAAS: Bao Nation, what is that?

SARABJEET PABLA: This is inside the Dosa Factory, we have a small, like we make the Bao Nation over there inside the same place.

ANISH RAMDEV: Within the premises of Dosa Factory.

POLICE COMMISSIONER ROBERT HAAS: Okay.

ANISH RAMDEV: But it's a special --

ATTY JON AIETA: Like a kiosk type.

CHAIR ANDREA JACKSON: So were you previously listed as a director for the restaurant in Somerville?

Because according to what I have from the Secretary of State's Office, unless I'm looking at the wrong name, which I don't think I am, you are listed as a director.

ATTY JON AIETA: What is the corporate name?

CHAIR ANDREA JACKSON: Pavan Restaurant Group.

SARABJEET PABLA: That's my husband.

ANISH RAMDEV: I think you have the right information, yes.

CHAIR ANDREA JACKSON: Can't be on both.

ANISH RAMDEV: But she's not on the license. Maybe on the corporate papers because her husband owns that restaurant.

ATTY JON AIETA: Actually, with a restaurant there's no prevention from owning several restaurants.

EXECUTIVE DIRECTOR ELIZABETH LINT: You can't be on a package store.

ATTY JON AIETA: Section 15 would be the --

CHAIR ANDREA JACKSON: So is it correct, though, that you are listed as a director for the Somerville?

ANISH RAMDEV: Yes.

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm not sure that the application reflects that.

ATTY JON AIETA: It does not because -- you know, I'm not aware of that, meaning -- did Somerville have a license at the time? You are still on as a director, okay.

SARABJEET PABLA: Yeah, but --

ATTY JON AIETA: I can certainly amend

that if that's -- it's the Board's discretion. I would obviously want to keep that information accurate.

CHAIR ANDREA JACKSON: I still have concerns about the kitchen and whether or not the size of it is enough to support the seating capacity for both Dosa and Studio Mantra.

At any time do you foresee having to go to Bao Nation to have them substitute food as well?

ANISH RAMDEV: No, Bao would be a completely different entity.

Those are just ones that are -- that only gets prepared once a week, and then we reheat them and serve them, but most of the stuff that is gonna be cooked at the kitchen would be for Dosa as well as for Mantra, and if needed, we will expand the kitchen a little bit, but as of now, I think we should be able to cater to both

restaurants.

ATTY JON AIETA: And again, I think because the reason, Dosa, the preparation is a lot smaller.

ANISH RAMDEV: A lot smaller.

ATTY JON AIETA: A lot of the work is done and it's a matter of heating, or you know, cooking to order, when it's heating up the crepes and adding to that.

ANISH RAMDEV: Correct. And most of the prep work is done in the basement, so the first floor is mainly going to be used for Studio Mantra.

CHAIR ANDREA JACKSON: How many employees do you foresee having upstairs at Studio Mantra?

ANISH RAMDEV: Full-time about ten. And then another ten to 12 part-timers. Including the wait staff.

CHAIR ANDREA JACKSON: What is the size

of the dance floor?

ATTY JON AIETA: Again, I think it is about 200 or 300 square feet. That's all. It is a small area in front of what -- I know it's hard to see, but on the floor plan it's identified as a DJ booth, which is towards the Mass. Ave side and the bank of windows.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: Not at this time.

CHAIR ANDREA JACKSON: Any further questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Mr. Rafferty, are you here in the capacity of Mr. Holland?

ATTY JAMES RAFFERTY: Yes.

CHAIR ANDREA JACKSON: Is there anything you want to add?

ATTY JAMES RAFFERTY: I don't believe so.

CHAIR ANDREA JACKSON: I didn't want to put you on the spot, but you are here so I just thought I'd ask while you are here.

ATTY JAMES RAFFERTY: Mr. Holland is available to answer any questions, and as noted by counsel for the proposed licensee, the purchase price includes a promissory note and there's a security interest in the form of a pledge on the promissory note.

POLICE COMMISSIONER ROBERT HAAS: But there are no other conditions attached to the financing of that pledge?

In other word, there's no other stipulations with respect to the license?

ATTY JAMES RAFFERTY: No, and the pledge has been filed with the -- yeah, it's strictly a security instrument with regard to the promissory note. It would expire at the termination of the

note.

POLICE COMMISSIONER ROBERT HAAS: Okay.

CHAIR ANDREA JACKSON: I think, again, more for me, I would like to look into a few things.

I would like to see a floor plan that I can read for the second floor. If you could submit one that's not blurry with bigger font, that would be helpful.

Based on that, I would like to make a motion that we again continue this matter until December 18 until our Decision Hearing.

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 JON AIETA: Okay, that's 10 a.m.?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes, it is.

CHAIR ANDREA JACKSON: Yes.

ANISH RAMDEV: Thank you.

CHAIR ANDREA JACKSON: Thank you.

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REVIEW: WINDING ROAD, LLC, D/B/A ABIGAIL'S

EXECUTIVE DIRECTOR ELIZABETH LINT: Winding Road, LLC, d/b/a Abigail's, James Ludwig, manager, holder of an all alcoholic beverages restaurant license and entertainment license at 291 third street due to the License Commission's April 28, 2014 vote on your application to amend the entertainment license.

CHAIR ANDREA JACKSON: Good evening.

SARAH MURNAME: Hi.

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

SARAH MURNAME: Sarah Murname, S-A-R-A-H M-U-R-N-A-M-E.

JAMES LUDWIG: JAMES Ludwig, J-A-M-E-S L-U-D-W-I-G.

CHAIR ANDREA JACKSON: And if you could state your position within Abigail's, please.

SARAH MURNAME: Co-owners.

CHAIR ANDREA JACKSON: Co-owners.

So roughly six, seven months ago we voted to schedule you to come in for a review hearing to see how your entertainment piece of your license was going, so how is it working out?

SARAH MURNAME: It's a slow build. We actually only started doing it approximately two months ago, so it's been fairly low-key to date. And we do to karaoke on a Sunday which has proven to be probably one of the most attractive nights, but it's certainly not a nightclub by any stretch of the imagination.

We do attract maybe a few more people to the neighborhood after 10:00 when the kitchen closes, but it is a work in progress.

FIRE CHIEF GERALD REARDON: How is it going with the building and the neighbors and all.

SARAH MURNAME: Good.

JAMES LUDWIG: We had a little -- a compliant or two --

SARAH MURNAME: In the first week.

JAMES LUDWIG: -- in the first week.

So it was a combination of, for us, it was a new tenant and then a relatively new thing we were doing, so, you know, we reached out to him and spoke with him, and you know, I think we have come to a pretty good understanding. We've got no complaints since.

SARAH MURNAME: First week we had one or two, but it was a matter of adjusting our levels

and figuring out what worked and what didn't.

CHAIR ANDREA JACKSON: Ms. Lint, did we receive a letter from the landlord?

SARAH MURNAME: I have it actually. I was unaware until today that they hadn't sent that in and I had requested it and they told me we were approved, but I do have it here.

CHAIR ANDREA JACKSON: If the record can reflect that you are receiving a letter from the landlord.

I want to impress upon you while you are here that if we send you a letter and we say that we need you to appear at the hearing that you appear because I know at the last hearing you were not here, which is why we had to continue this.

SARAH MURNAME: I'm sorry I missed that.

JAMES LUDWIG: I apologize.

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 place this matter on file. 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.

CHAIR ANDREA JACKSON: You are all set.

SARAH MURNAME: Thank you very much.

FIRE CHIEF GERALD REARDON: Good luck.

CHAIR ANDREA JACKSON: Sir, are you here for a particular matter?

HUGO MENDEZ: Yeah, for Beantown Taqueira liquor license.

EXECUTIVE DIRECTOR ELIZABETH LINT: It's not on.

CHAIR ANDREA JACKSON: That's not on the

agenda for the evening.

HUGO MENDEZ: I got a letter saying --

EXECUTIVE DIRECTOR ELIZABETH LINT: Not open. That wasn't on the --

THE REPORTER: Let me just get a spelling.

Sir, spell your name for me.

HUGO MENDEZ: Hugo, H-U-G-O Mendez, M-E-N-D-E-Z.

It was about the liquor license that the Cambridge License Commission granted to the 148 Western Average location that has not been used.

CHAIR ANDREA JACKSON: I apologize, someone on the staff must have sent you a letter but it didn't make it onto our agenda, but while you are here I would like to ask the question of what's the status of the license?

HUGO MENDEZ: Well, the license is active in the Cambridge License Commission. We had to

go through Zoning because we didn't know that in Zoning we weren't allowed to serve alcohol, so we went to around three hearings with the Zoning license -- the Zoning Commission, and we had opposition from the two immediate abutters, which we ended up withdrawing the application because we didn't want -- if they didn't want it there, we didn't want to fight it. We wanted to be good neighbors.

So I believe the letter is about if we haven't used the -- you know, after six months they want to revoke it, but we're actually looking into a commercial space that we just wanted to see if we could get an extension on that, just, I don't know, probably like two or three months, probably one, just so we could see if we could finalize that location to see if we could potentially transfer it.

CHAIR ANDREA JACKSON: It's not a

transferrable license.

HUGO MENDEZ: It's not a transferrable license?

CHAIR ANDREA JACKSON: No, it's not.

HUGO MENDEZ: Okay, I thought we should ask.

CHAIR ANDREA JACKSON: So you don't plan on using it at that location?

HUGO MENDEZ: We can't. You know, it would have to go through Zoning and clear Zoning, which the two immediate abutters, you know, were just opposing it and we didn't want to go through with it if they didn't want it, so we're just going to operate without alcohol there.

CHAIR ANDREA JACKSON: I don't think there's anything we need to do.

POLICE COMMISSIONER ROBERT HAAS: We need to revoke the license.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Uh-huh.

CHAIR ANDREA JACKSON: I want to make sure that we give proper notice, so, if anything, we put it back on, on the agenda. So I apologize that you came, you probably have to come back again, you don't have to, but we'll put it back on for the January 6, if we have time. We have to advertise it.

EXECUTIVE DIRECTOR ELIZABETH LINT: Okay, what is today? We have plenty of time to advertise it.

CHAIR ANDREA JACKSON: We'll put it on the January 6 agenda. I apologize again.

EXECUTIVE DIRECTOR ELIZABETH LINT: He doesn't need to come in.

CHAIR ANDREA JACKSON: You don't need to come. You can simply put something in writing as well.

HUGO MENDEZ: All right.

CHAIR ANDREA JACKSON: That's fine if you want to put something in writing and send it to the Board, that would be fine.

HUGO MENDEZ: Thank you. Appreciate it.

CHAIR ANDREA JACKSON: Thank you.

- - -

EXECUTIVE DIRECTOR ELIZABETH LINT: Moksa.

SOLOMON CHOWDHURY: I just wanted to apologize not having enough information about that.

CHAIR ANDREA JACKSON: Sure.

SOLOMON CHOWDHURY: When Renato wrote the letter we didn't have all the details about the event and we were kind've under the deadline to apply for it, so I think he just made a simple letter and submitted it so we can get on the agenda for today.

But after talking to the organizers,

there is a Korean band that's playing part of the three group that's performing that night.

I think one of -- the problem was that Renato thought it was just Korean, but it is actually a Thai organization that a couple of them together they are doing it, but it's pretty -- from the same area and their music genre is about the same.

POLICE COMMISSIONER ROBERT HAAS: So as I understand it, part of the entertainment is a cultural show, right?

SOLOMON CHOWDHURY: Uh-huh.

POLICE COMMISSIONER ROBERT HAAS: For the Greater Boston Thai Organization, and then you are going to have -- followed by, is it, four bands that are going to play?

SOLOMON CHOWDHURY: Three different bands.

POLICE COMMISSIONER ROBERT HAAS: Three

different bands?

SOLOMON CHOWDHURY: Yeah.

POLICE COMMISSIONER ROBERT HAAS: Are they connected to the cultural show or are these add-ons to the cultural show?

So would they be drawing a -- in other words, I'm trying to get at, are they going to be drawing a different crowd or is it gonna be the crowd that's there for the cultural show?

SOLOMON CHOWDHURY: I think it's all gonna be the same crowd. It's not --

POLICE COMMISSIONER ROBERT HAAS: You're not planning on letting more people come in for the follow-on bands? Whoever is staying there for the cultural show is going to be part or present during the bands that are playing after that, right?

SOLOMON CHOWDHURY: Right. It's pretty much the similar crowd that's coming in.

POLICE COMMISSIONER ROBERT HAAS: You are saying about 200 people?

SOLOMON CHOWDHURY: It's about 200 people. 150. I just talked to them. They are thinking the weather is changing, so it might not even be 200 people. It might be 150 people.

POLICE COMMISSIONER ROBERT HAAS: And is this in addition to your normal clientele or is this just -- or whoever is going to be in the restaurant at that point?

SOLOMON CHOWDHURY: Currently we don't have nothing on the schedule for that Sunday, so this will be the only event for that night.

POLICE COMMISSIONER ROBERT HAAS: But you will open your doors for your normal customers or --

SOLOMON CHOWDHURY: Generally if we don't have any events, our front bar generates about 20 people. That's just people hanging out at the

bar, unless we have some type of event going on, and currently this is the only event we have planned for the night.

POLICE COMMISSIONER ROBERT HAAS: So you mentioned Sky Entertainment, you mentioned Rabbit Entertainment, so who is the third band?

SOLOMON CHOWDHURY: Those are the promoters.

POLICE COMMISSIONER ROBERT HAAS: Oh, the promoters?

SOLOMON CHOWDHURY: The organizers, I meant to say.

POLICE COMMISSIONER ROBERT HAAS: So why would you have different promoters and different organizers?

SOLOMON CHOWDHURY: I guess they are all working together to put this event together.

CHAIR ANDREA JACKSON: So you didn't select them?

SOLOMON CHOWDHURY: No.

POLICE COMMISSIONER ROBERT HAAS: So what do you know about these promoters?

SOLOMON CHOWDHURY: Currently they do other events in other places in Boston.

POLICE COMMISSIONER ROBERT HAAS: What is their reputation?

SOLOMON CHOWDHURY: We haven't heard anything bad about them. It is just mostly an Asian crowd.

POLICE COMMISSIONER ROBERT HAAS: But you understand even though that these promoters are being somewhat subcontracted by the other group you are still responsible for what takes place in your establishment?

SOLOMON CHOWDHURY: Absolutely.

POLICE COMMISSIONER ROBERT HAAS: Okay.

FIRE CHIEF GERALD REARDON: What would you get on a good night in terms of a crowd,

number-wise? If you had a very popular group there, what would you expect to draw for a crowd?

SOLOMON CHOWDHURY: On a sell-out night we will have in the back room about 300 people.

FIRE CHIEF GERALD REARDON: So you don't even expect this is going to get close to a sell-out crowd?

SOLOMON CHOWDHURY: No.

FIRE CHIEF GERALD REARDON: And you have no knowledge of any kind of large crowds that these groups draw at other locations that you are aware of?

SOLOMON CHOWDHURY: No.

CHAIR ANDREA JACKSON: How many people do you expect from your staff to be working that night?

SOLOMON CHOWDHURY: We'll have a -- currently, we schedule -- any time our back room is open, we schedule a minimum of six people just

in terms of like the crowd control and stuff and we always have two managers whenever the back room is open, and there's bartenders.

CHAIR ANDREA JACKSON: Who will be at the door? Did you say someone from their group? Or who is at the door?

SOLOMON CHOWDHURY: It is always our -- one of our security managers always at the door. We never allow anybody from outside to be at the door.

CHAIR ANDREA JACKSON: Okay. Any other questions?

FIRE CHIEF GERALD REARDON: No.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No 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 to allow Moksa to extend their closing hour on Sunday, December 14, 2014 from 1 a.m. to 2 a.m. for an event.

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. You are all set.

SOLOMON CHOWDHURY: Thank you.

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

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.

(Hearing was adjourned.)

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