

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR ANDREA JACKSON

POLICE COMMISSIONER ROBERT HAAS

ASSISTANT FIRE CHIEF GERARD MAHONEY

STAFF: EXECUTIVE ASSISTANT ELLEN WATSON

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

DATE: March 31, 2015

TIME: 6:04 p.m.

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P R O C E E D I N G S

March 31, 2015

ELLEN WATSON: Good evening. This is the Cambridge License Commission. Today is Tuesday evening, March 31, 2015. It is 6:04 p.m.

We're in the basement conference room of the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Cambridge, Mass.

If you have an electronic device, we ask that you silence it. Please keep the back door open.

This meeting is being audio and visually taped.

The first item. Application: Women Independent Living Group -- oh, I'm sorry.

This evening we have Chair Andrea Jackson, Police Commissioner Robert Haas and Fire Chief Gerald Reardon.

Thanks.

CHAIR ANDREA JACKSON: Call the MIT cases first.

APPLICATION: WOMEN'S INDEPENDENT LIVING GROUP

ELLEN WATSON: The first application is Women's Independent Living Group, Deena Sharuk, resident manager, holder of a lodging house license at 355 Massachusetts Avenue for a change of resident manager to Kelli Jew.

CHAIR ANDREA JACKSON: Is there anyone here from MIT?

If you could please come forward, please?

Please have a seat. Good evening. If you could please state your name for record, spelling your first name and last name?

IAN MILLER: Ian Miller, I-A-N,  
M-I-L-L-E-R.

CHAIR ANDREA JACKSON: Mr. Miller, what is your position with MIT?

IAN MILLER: Sure. I'm coordinator of fraternities, sororities and independent living groups in the Division of Student Life.

POLICE COMMISSIONER ROBERT HAAS: Ellen, could I see a copy of the agenda?

ELLEN WATSON: Absolutely.

CHAIR ANDREA JACKSON: So we have on the agenda this evening -- and I guess we could read them all into the record, but we have one, two, three, four, five, six applications from MIT.

Are you going to be speaking on all six?

IAN MILLER: I can if that's permissible.

CHAIR ANDREA JACKSON: So, Ellen, if you could read all six into the record, so at least that way I think it would be cleaner.

APPLICATION: ST. ANTHONY ASSOCIATION OF BOSTON  
INC. D/B/A NUMBER SIX HOUSE MIT FRATERNITY

ELLEN WATSON: Okay. The next

application is St. Anthony Association of Boston Inc., d/b/a Number Six House MIT Fraternity.

Farrah Sabouni, resident manager, holder of a lodging house license at 428 Memorial Drive for a change of manager to Jose Orozco.

APPLICATION: RHO ALPHA CHAPTER OF ZETA PSI, INC.

Application: RHO Alpha Chapter of Zeta Psi, Inc., Joseph Fernandez, resident manager, holder of a lodging house license at 233 Massachusetts Avenue for a change of resident manager to Mark Hoover.

APPLICATION: HOUSECORP., INC.

Application: Housecorp, Inc., Jeremy Sher, resident manager, holder of a lodging house license at 69 Chestnut Street has applied for a change of resident manager to Abbie Smith-Howe.

APPLICATION: THETA DEUTERON HOUSE CORPORATION

Application: Theta Deuteron House Corporation, Javier Garcia, resident manager, holder of a lodging house license at 372 Memorial Drive for a change of resident manager to Morris Vanegas.

APPLICATION: DELTA KAPPA EPSILON

The last one is the Application: Delta Kappa Epsilon, an MIT fraternity, Kevin Vogelsang, resident manager, holder of a lodging house license at 403 Memorial Drive for a change of resident manager to Matthew Furtney.

CHAIR ANDREA JACKSON: Thank you.

So, it's my understanding that MIT has changed the process in terms of how resident managers are selected.

IAN MILLER: We have, yeah.

CHAIR ANDREA JACKSON: Could you tell us

what that process is?

IAN MILLER: Sure. Previous to this year, the employer of those conditions was each individual house corporation where these are individually-owned houses, but the innholder licence is granted by MIT.

MIT took ownership of the program this year to be the sole employer, so these individuals are now affiliate employees of MIT, sort of quasi-graduate assistant roles.

So our office, and myself specifically, will actually vet each candidate to make sure they're qualified for the position and in line with what our position is looking for.

And then, those people will -- those candidates who will go into a greater pool for each house to interview themselves to make sure that they are a good fit for their own house, to fulfill the duties of the role. So the actual

role itself does not change but simply the hiring process and the actual employer of the role.

CHAIR ANDREA JACKSON: So everyone who we have on our agenda in terms of applying for a change to a resident manager, they have all been vetted through MIT?

IAN MILLER: Correct, yes.

CHAIR ANDREA JACKSON: And they are technically hired by MIT as employees or...?

IAN MILLER: Yes. They're run through our Human Resources Department and the whole nine yards.

POLICE COMMISSIONER ROBERT HAAS: So they're considered employees of MIT?

IAN MILLER: Affiliate employees.

POLICE COMMISSIONER ROBERT RAAS:  
Affiliate employees.

IAN MILLER: That's what HR terms them as.

FIRE CHIEF GERALD REARDON: So you received this from -- this gives all the description of what you're vetting, what you expect of every one of these house managers in terms of responsibilities and roles?

IAN MILLER: Absolutely, correct.

CHAIR ANDREA JACKSON: This is a change from what was done before in the past, is that correct?

IAN MILLER: Again, the program itself has not changed drastically. It really would just be the ownership of the employment of the program, so MIT has a little bit more discretion as to the direction and supervising of these positions, but the general role and the role that they play within each house will stay the same.

CHAIR ANDREA JACKSON: And when did that change take place?

IAN MILLER: In the fall. It went into

effect for this hiring process for this past fall, but the hiring for these individuals took place around this time last year.

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 in this matter on any of the six applications for MIT?

Seeing none...

FIRE CHIEF GERALD REARDON: So, in terms of the building safety and safety systems and egress and the crowd control and all that, to what level does MIT do the training on that?

IAN MILLER: So that's primarily -- since these are individually-owned properties, all the

gress are inspected, and inspections are done individually obviously with the City, but those are done sort of on a separate basis. These individuals are sort of the Division of Student Life's eyes and ears more for student health and well-being resources.

So the individual members of the house should be trained individually on those sort of safety measures.

FIRE CHIEF GERALD REARDON: And that will be done by MIT now because it's under the --

IAN MILLER: For these folks, I believe that would be done strictly within their house as well. So, once these individuals enter the house to live there, they are sort of briefed by their own houses on what the safety --

FIRE CHIEF GERALD REARDON: But we can be assured that some sort of training or familiarization will happen?

IAN MILLER: Absolutely, yes.

FIRE CHIEF GERALD REARDON: Okay.

CHAIR ANDREA JACKSON: Any further questions?

FIRE CHIEF GERALD REARDON: All set.

Thank you.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: I'm all set.

CHAIR ANDREA JACKSON: I make a motion that we approve -- without listing them all, I make a motion we approve the six change of resident managers as it relates to the applications filed on behalf of MIT as read into the record by Ellen Watson.

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're all set.

IAN MILLER: Thank you very much.

CHAIR ANDREA JACKSON: Thank you.

APPLICATION: CONTINUED FROM MARCH 17, 2015,

SUNNYWOODS, INC. D/B/A CILANTRO

ELLEN WATSON: Application: Continued from March 17, 2015, Sunnywoods, Inc., d/b/a Cilantro, Wen Pan, manager, holder of a common victualer license at 1105 Massachusetts Avenue has applied for a new all alcoholic beverages restaurant license at said address. The current operating hours are 11 a.m. to 1 a.m., seven days per week with a seating capacity of 60.

CHAIR ANDREA JACKSON: Please come forward. If you can sit down and state your name for the record?

MING PEN: Our lawyers can't find no parking right now.

CHAIR ANDREA JACKSON: Okay, so you want us to call your case afterwards?

MING PEN: Yes.

CHAIR ANDREA JACKSON: That's fine.  
That's fine.

MING PEN: Sorry about that.

CHAIR ANDREA JACKSON: No worries. No problem.

MING PEN: Thank you very much.

APPLICATION: KDDM, LLC D/B/A TEN TABLES

ELLEN WATSON: The last item is KDDM, LLC doing business as Ten Tables, Krista Kranyak, manager, holder of a wine and malt beverage restaurant license at 5 Craigie Circle has applied to upgrade said license to an all alcoholic beverages. The current approved hours

of 11 a.m. to 1 a.m. on Sunday, and 8 a.m. to 1 a.m. Monday through Saturday.

CHAIR ANDREA JACKSON: Good evening.

ATTY KRISTEN SCANLON: Good evening.

Kristen Scanlon with the Law Office of John Connell. Kristen, K-R-I-S-T-E-N, Scanlon, S-C-A-N-L-O-N, and John Connell, C-O-N-N-E-L-L.

With me this evening to my right is Krista Kranyak, K-R-I-S-T-A, K-R-A-N-Y-A-K, who is the owner and operator of Ten Tables at 5 Craigie Circle in Cambridge.

The application before you this evening is for a new all alcoholic beverages license. As the Board knows, Ten Tables is currently the holder of an existing wine and malt beverages license at 5 Craigie Circle where they have been operating for approximately a little over six years now. They opened initially in February of 2009.

The reasoning for their request to upgrade their existing beer and wine license to an all alcoholic beverages license is for a few reasons. First and foremost is that for several years now, they have had patrons coming in who have expressed a desire for them to expand their beverage service list to include cocktails, and oftentimes they had people come and say "We would love to come in here and be able to have cocktails with the fantastic food offerings you have at the restaurant," but it's -- obviously based on the nature of the license, it's simply unavailable.

So with the other popular food destination restaurants that have recently come into Cambridge, not necessarily within the immediate proximity of where Ten Tables is located, they would like to be on par with those other restaurants that do serve all alcoholic

beverages along with their food offerings.

So they're looking to match their beverage service and offerings to the quality of the food that they do have at their restaurant.

It is a comfortable neighborhood spot that's been there, but that does offer quality food service and customer service, and they would like to be able to offer that amenity to their neighbors and that immediate neighborhood, which is approximately a little under a mile from Harvard Square and in an uncapped area.

Their hours will remain the same, the seating would remain the same, nothing would change within the business operations besides the hopeful offering of all alcoholic beverages at the location.

CHAIR ANDREA JACKSON: And the wine and malt license that's currently there, is a for-value license, is that correct? Did you

purchase that license?

ATTY KRISTEN SCANLON: It was Tony Maws of Craigie Street prior to. I don't -- it was included in the purchase --

CHAIR ANDREA JACKSON: Of the business?

ATTY KRISTEN SCANLON: Yeah.

ELLEN WATSON: I checked the paperwork and when the purchase went through, the license was listed as \$35,000 out of \$175,000 purchase price.

ATTY KRISTEN SCANLON: There was signatures submitted to this Board prior to the hearing, I do have a copy here of the original signatures, if the Board would like it, of a petition that they did have at the restaurant for patrons and local residents who came in to sign and support of the application for the all alcoholic beverages license which does include three pages of signatures, including over 35

signatures of Cambridge residents, which also include several immediate neighbors and abutters and within Craigie Circle and the residents of that building.

POLICE COMMISSIONER ROBERT HAAS: So you're presenting that petition?

ATTY KRISTEN SCANLON: Yes.

CHAIR ANDREA JACKSON: Do we have abutter notification?

ELLEN WATSON: We do. They came to the office today.

CHAIR ANDREA JACKSON: If I remember correctly, back in some time last year, did you submit an application to transfer the license?

ATTY KRISTEN SCANLON: There was an application submitted to transfer the stock. It was originally when they purchased the license in 2009. Ms. Kranyak was in business with a gentleman by the name of David Punch, and she had

bought him out. And now Ms. Kranyak is the hundred percent owner of KDDM, LLC and the restaurant.

CHAIR ANDREA JACKSON: Was that last year when that took place?

ATTY KRISTEN SCANLON: Yes, fall of 2009 or the fall of 2013 when the application occurred?

KRISTA KRANYAK: Yeah.

CHAIR ANDREA JACKSON: Yes.

ATTY KRISTEN SCANLON: Yes. Either September or October, I believe.

CHAIR ANDREA JACKSON: How long have you had the restaurant?

KRISTA KRANYAK: Almost seven years. In February, it will be seven years.

CHAIR ANDREA JACKSON: So you believe that having the all alcohol license will enhance your business?

KRISTA KRANYAK: Very much so. It is on a nightly basis that I get a lot of requests. And some people have actually walked out of the restaurant, you know, gone to another restaurant because they want the cocktail with their food and that's what they're asking for.

ATTY KRISTEN SCANLON: In reviewing the map, as well in the area, as far as the locations of other wine and malt beverages license and all alcoholic beverages licenses, it appears that a lot in that vicinity, or close to that vicinity are beer and wine licenses only, so the all alcoholic beverages license would also add an amenity, if you will, to the neighborhood that doesn't currently exist, which is farther away from more popular locations, like Harvard Square and along Mass. Ave.

CHAIR ANDREA JACKSON: Do you have any questions?

POLICE COMMISSIONER ROBERT HAAS: I have more of a question for you, Madam Chair. I'm just trying to figure out what the implications would be for a valued license, traditional beer and malt license. Which are less expensive than an all alcoholic, and now, by upgrading this license, do we increase the value of that license where normally we would be issuing a nontransferable, non-viable or non-value license.

So I'm just trying to figure out what the implications of that are because you're asking us to take a license that was purchased for \$35,000 and now increasing the value of that license, because I assuming you want to keep it as a valued license, right, as opposed so trading that license in and looking for a no-value, nontransferable license.

ATTY KRISTEN SCANLON: It's my understanding -- correct me if I'm wrong, Madam

Chair -- if the all alcohol license was issued that that would be a nonvalue. It would be essentially trading in the value license and handing it back to the City in exchange for the nonvalue license.

POLICE COMMISSIONER ROBERT HAAS: Okay.

CHAIR ANDREA JACKSON: As long as that's your intent to eventually trade in the value license and then go ahead with the nonvalue all alcohol.

ATTY KRISTEN SCANLON: Right. Madam Chair?

POLICE COMMISSIONER ROBERT HAAS: So your client understands the implications of that?

ATTY KRISTEN SCANLON: Yes.

KRISTA KRANYAK: My question is mostly: Does the license stay at the restaurant if I was to sell the restaurant at some point ten years down the road?

CHAIR ANDREA JACKSON: No. It reverts back to the City.

POLICE COMMISSIONER ROBERT HAAS: So by virtue of the fact that it's a nonvalue, nontransferable, you can't transfer a license. If somebody would come in and buy Ten Tables now, they would have to come back here and either have a license they purchased someplace else, or go through the same process you're going through now.

ATTY KRISTEN SCANLON: And apply for a new license again?

POLICE COMMISSIONER ROBERT HAAS: Correct.

CHAIR ANDREA JACKSON: Are you clear on that? Do you want to think about that?

KRISTA KRANYAK: I'm clear on that.

CHAIR ANDREA JACKSON: You are?

POLICE COMMISSIONER ROBERT HAAS: You

understand you're turning in a license that has value, right, for a license that has no value and is nontransferable?

KRISTA KRANYAK: Is there ever a situation where we can ask for a value license or -- seeing how I have a wine and beer now?

CHAIR ANDREA JACKSON: No.

KRISTA KRANYAK: Okay.

POLICE COMMISSIONER ROBERT HAAS: As long as you understand.

KRISTA KRANYAK: That's fine, yeah.

CHAIR ANDREA JACKSON: Yes?

KRISTA KRANYAK: Yes.

ATTY KRISTEN SCANLON: Yes.

KRISTA KRANYAK: No, I understand.

POLICE COMMISSIONER ROBERT HAAS: So if I understand --

KRISTA KRANYAK: I have that in Boston. I have a Ten Tables in Boston as well, so I

understand it's the same license.

POLICE COMMISSIONER ROBERT HAAS: So if you were to turn around and sell the restaurant, you'd be selling it without a license.

FIRE CHIEF GERALD REARDON: You said nothing else is changing, occupancy, seats, operating hours?

KRISTA KRANYAK: The same, yeah.

FIRE CHIEF GERALD REARDON: Status quo.

CHAIR ANDREA JACKSON: I'm sorry. Have you been to 21 Proof training?

KRISTA KRANYAK: Oh, yes.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: All set.

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

this matter?

Seeing none.

I want to see the exact wording I want for the motion. Two separate motions, would that be the cleanest way, to turn in the wine and malt contingent upon the granting of, okay.

So I make a motion that -- let me think about it to make sure.

I make a motion that we'll have the for-value wine and malt license turned back in to the City, revert back to the City, contingent upon the approval of a no-value, nontransferable all alcohol license for KDDM, LLC doing business as Ten Tables.

And it must be turned into the City if you go out of business.

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: So you're all set.

KRISTA KRANYAK: Thank you very much.

ATTY KRISTEN SCANLON: Thank you.

POLICE COMMISSIONER ROBERT HAAS: Did you  
-- you said contingent upon them issuing --

CHAIR ANDREA JACKSON: Well, meaning so  
that she can still keep the wine and malt right  
now, but it still has to go to the ABCC, so I  
don't want to say turn it in and then you have  
nothing.

KRISTA KRANYAK: I'm still in business.

CHAIR ANDREA JACKSON: Right.

ATTY KRISTEN SCANLON: Thank you very  
much.

CHAIR ANDREA JACKSON: Thank you.

APPLICATION: CONTINUED FROM MARCH 17, 2015,

SUNNYWOODS, INC. D/B/A CILANTRO

ELLEN WATSON: I'm going to call Sunnywoods again. Application: Continued from March 17, 2015, Sunnywoods, Inc., d/b/a Cilantro, Wen Pan, manager, holder of a common victualer license at 1105 Massachusetts Avenue has applied for a new all alcoholic beverages restaurant license at said address. The current operating hours are 11 a.m. to 1 a.m., seven days per week with a seating capacity of 60.

Do you have your abutter notifications?

ATTY CHUNG LEE: I do.

CHAIR ANDREA JACKSON: Good evening.

ATTY CHUNG LEE: Good evening. First of all, let me apologize for being a little late.

It was really hard to get a parking spot.

CHAIR ANDREA JACKSON: No worries.

ATTY CHUNG LEE: Forgive me. We're here

tonight --

CHAIR ANDREA JACKSON: You need to state your name first for the record.

ATTY CHUNG LEE: My name is Chung Lee, I'm counsel for --

THE REPORTER: You have to spell your last name.

ATTY CHUNG LEE: Chung Lee, C-H-U-N-G, L-E-E.

Sitting next to me is Ms. Wen Pan who is the proposed manager.

CHAIR ANDREA JACKSON: Spell the name, please.

ATTY CHUNG LEE: Sure. W-E-N, P-A-N is the last name.

CHAIR ANDREA JACKSON: And you were the manager?

ATTY CHUNG LEE: She will be the manager. Sitting behind us is Ms. Ming Pan, M-I-N-G,

P-A-N, who is the president and 50 percent co-owner of the corporation. That's Ming, M-I-N-G, P-A-N.

We are here tonight to ask this Board to approve an all alcoholic license for the restaurant named Cilantro located at 1105 Mass Avenue in Cambridge. This -- we were in front of this Board around, I would say, like August of last year asking for a common victualer license which this Board did approve.

At that time, I believe we even talked about whether or not we want a liquor license, and we mentioned maybe in the future. We wanted to make sure that the location was workable and it was able to mature and grow with the neighborhood.

As of this time, my client has met some nice people in the neighborhood. She believes that this is the spot to grow in, and that's the

reason why we are returning in front of this Board to ask for the all alcoholic beverages license.

The location houses a 60-seat restaurant serving primarily Asian-Taiwanese type food with soups and whatnot. This goes pretty hand-in-hand with hard liquor drinks, like Sake and whatnot. And it will certainly enhance the business as the oriental foods blend very well with hard liquor.

Nothing will change. Everything will remain the same. The seating capacity remains the same at 60. The operating staff will remain the same. The operating hours will remain the same. The only thing we're asking for is the inclusion of a liquor license.

I overheard the Police Commissioner talk about how this was a nontransferable. That's certainly okay. I had a discussion with my client as well. There's no issue. We want this

to be part of the business. We're not going to make a quick buck on it. We want to grow with the neighborhood and stay in this area.

So, again, we're here to ask this Board to approve that alcohol license for us so that we can make this business grow along with the --

FIRE CHIEF GERALD REARDON: So, counsel, how would you say business is doing in terms of food business right now?

ATTY CHUNG LEE: I was told that the business is doing quite well. The actual phrase she uses it would be better if we had -- there are a lot of clients that ask for liquor to go with the food. We surmise it might be at least 40 or 50 percent better if we have liquor along with it.

But, right now, as far as I'm concerned, the business is growing. That's the reason we want to continue on. I mean, I suppose if the

business was not successful, we would not be in front of the Board today. We would be looking for alternatives, but it is growing. It is growing at a sufficient rate where my client believes that it warrants going the next step.

FIRE CHIEF GERALD REARDON: What modifications would you need to add the liquor license?

ATTY CHUNG LEE: We will have storage obviously for the liquor. This is not a bar. We will be only serving the liquor along with the meals, so there will not be a renovation for a bar or anything like that.

It is primary storage that we'd be looking at, maybe like a back bar, but it's not a bar where people sit around just having drinks. So it is only primarily for service with food and meals and that's it.

Right?

WEN PAN: Uh-huh.

ATTY CHUNG LEE: You won't have a bar?

WEN PAN: No.

ATTY CHUNG LEE: Okay, I stand corrected.

There will be a small bar. I'm sorry. I stand corrected. They changed their plans a little bit. But it is going to be small and primarily eight seats where foods will be served as well.

CHAIR ANDREA JACKSON: I'm sorry. What did you say for seats?

ATTY CHUNG LEE: Eight.

ELLEN WATSON: Is that reflected on the floor plan?

ATTY CHUNG LEE: It was not my understanding at that moment.

FIRE CHIEF GERALD REARDON: So the seating of 60, this would be in addition to?

ATTY CHUNG LEE: It would be part of the 60.

FIRE CHIEF GERALD REARDON: So taken from the 60?

ATTY CHUNG LEE: Taken from the 60. I believe the last time we came, there was a strict limit on the 60 capacity.

CHAIR ANDREA JACKSON: That's correct.

ATTY CHUNG LEE: So we're not going to deviate from that.

ELLEN WATSON: This is not listed on the premises description.

CHAIR ANDREA JACKSON: No?

ELLEN WATSON: No.

CHAIR ANDREA JACKSON: So the premises description has to show the bar.

ATTY CHUNG LEE: Yes. I would ask that we update the seating plan. Again, like I was not aware of that until recently.

I would ask this Board to consider this. I can certainly supplement the file in a very

short period of time, maybe within a few days.

POLICE COMMISSIONER ROBERT HAAS: So there is an opportunity for clients to come in and purchase alcohol without purchasing a meal by virtue of the bar?

ATTY CHUNG LEE: Yes, there's that possibility, but it's not going to be our intention. Again, it's -- it is only eight seats. It's not like it's going to be 20 or 30 seats. It's primarily used to serve food to people.

If the seating capacity is full, we're looking to have people perhaps go there and eat in the bar area. But, yes, definitively the answer is yes, there is that possibility of that happening, yes.

Although all the servers will be TIPS certified. They will be fully trained to recognize any dangers that may come as a result

of that or any service whatsoever.

FIRE CHIEF GERALD REARDON: So this bar is existing from the previous restaurant?

ATTY CHUNG LEE: There is a counter. I believe there was service before, but we chose not to have service at that time when we took over the restaurant.

FIRE CHIEF GERALD REARDON: But that -- the one that was used previously is the same structure we're talking about?

ATTY CHUNG LEE: Yes.

FIRE CHIEF GERALD REARDON: And it was used as a service bar with no seats?

ATTY CHUNG LEE: That's correct.

FIRE CHIEF GERALD REARDON: Are you opposed to doing a service bar with no seats?

ATTY CHUNG LEE: We would prefer to have some seating, but if it's a sticking point with this Board, we will certainly accept that as

well.

FIRE CHIEF GERALD REARDON: Okay.

POLICE COMMISSIONER ROBERT HAAS: So is this a modified plan of what the seating would look like or is this the current plan?

CHAIR ANDREA JACKSON: That's what was submitted.

POLICE COMMISSIONER ROBERT HAAS: This is what you're proposing?

ATTY CHUNG LEE: Yes.

POLICE COMMISSIONER ROBERT HAAS: Because you have 52 seats here and there's no seats depicted at the bar area.

ATTY CHUNG LEE: Yeah. This will be the revised one. I'm sorry.

CHAIR ANDREA JACKSON: So what about neighborhood support, do you have neighborhood support for this to be an all alcohol?

ATTY CHUNG LEE: No. I mean, we have

not -- outside of notifying the abutters, we haven't gone in front of the neighborhood because we were trying to get the application in on time, but if this Board requires that, most certainly.

I was talking to Chris, but if this Board requires it, we will mostly certainly do it.

POLICE COMMISSIONER ROBERT RAAS: So there's four criteria or three criteria you have to satisfy in order to demonstrate the appropriateness of an alcohol license, right? You have to have demonstrated the -- you know, the abutters list by itself, may or may not, depending on how many abutters are involved, you know, is it going to do any harm to the community, right? And you know, demonstrate that it's going benefit the community somehow or benefit the community more so than the business.

So absent satisfying that criteria, you don't meet the threshold -- you wouldn't meet the

threshold for the application.

ATTY CHUNG LEE: I understand.

POLICE COMMISSIONER ROBERT HAAS: Those are the regs, right, Ellen?

ELLEN WATSON: Neighborhood support, and...

ATTY CHUNG LEE: I would ask that this Board to allow a continuance of this so that we get a chance to contact the appropriate neighborhood groups.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No.

POLICE COMMISSIONER ROBERT HAAS: I guess just for my purposes, can you just clarify what the confusion was between the initial representation of what the application was going to involve, and just the fact there is now a bar being introduced, so I'm just trying to figure out what the confusion was over.

ATTY CHUNG LEE: The confusion was the reason when I talked to my client, I guess this bar was not meant to be service of alcohol, but apparently, I was just informed there would be service. Maybe it was miscommunication between me and my client, and I would have to apologize for that.

POLICE COMMISSIONER ROBERT HAAS: No, no. I mean, your representation was that you were going to serve alcohol with meals, and now, there's a possibility that you can serve alcohol and somebody can decide that, "Well, I'm not going to wait for a seat any longer, I'm going to get up and walk out" and they may have consumed alcohol and not had any meals with it. So I'm just trying to reconcile the initial representation of what the intent of the business was and what the possibility could be with respect now to having a free-standing bar.

ATTY CHUNG LEE: There is that possibility now that I have been informed of that, yes, although it's not our intention.

POLICE COMMISSIONER ROBERT HAAS: Uh-huh.  
No other questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No.

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

MYNOR PEREZ: I do.

CHAIR ANDREA JACKSON: Please come forward.

If you could please state your name for the record?

MYNOR PEREZ: Most certainly. Thank you.  
My name is Mynor Perez, I live at 1137 --

CHAIR ANDREA JACKSON: Please spell your name.

MYNOR PEREZ: M-Y-N-O-R, P-E-R-E-Z, and I live at 1137 Mass. Ave, No. 5, and I'm also trustee on the Bedford Hall Building, and I think I want to say that Cilantro has been a good place and well-run. The folks do a good job, and they are quite responsible. So, I'm in favor of supporting them to acquire the liquor license. I think they have done a very good job. And when the previous business was there, there was never any issues as well, and they did have a liquor license as well.

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

MYNOR PEREZ: My pleasure.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Any questions?

FIRE CHIEF GERALD REARDON: No.

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

Seeing none.

I'm going to make a motion that we continue this application until our Decision Hearing which I believe is on April 9th, just to confirm that for you.

POLICE COMMISSIONER ROBERT HAAS: So my question to you: Would you be able to demonstrate those three criteria for that April 9th meeting? Does that give you enough time?

ATTY CHUNG LEE: At the neighborhood hearing, I believe, proof of the neighborhood?

POLICE COMMISSIONER ROBERT HAAS: You need to demonstrate that there's overwhelming support for the license, right? That it's going to be for the enhancement of the community and

it's not going to put any harm to the community.  
So you need to provide evidence of all three  
criteria.

So the question is: Is April 9th going  
to give you enough time to do all that?

ATTY CHUNG LEE: I certainly can address  
the appropriate neighborhood groups by that time.

I do not know if they will require  
hearings or meetings. If they do, I need to call  
back the Board and ask for it continued until we  
get such.

CHAIR ANDREA JACKSON: We'll continue the  
matter then until you can give us notice that  
you're ready for it to be heard.

Is that fair enough?

ATTY CHUNG LEE: Yes. Once I will do  
this, I will call over in the License Board.

CHAIR ANDREA JACKSON: So a motion's been  
made to continue the matter.

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: Thank you.

ATTY CHUNG LEE: Thank you very much.

CHAIR ANDREA JACKSON: Thank you for coming.

I believe that's it.

ELLEN WATSON: I make a motion that we adjourn.

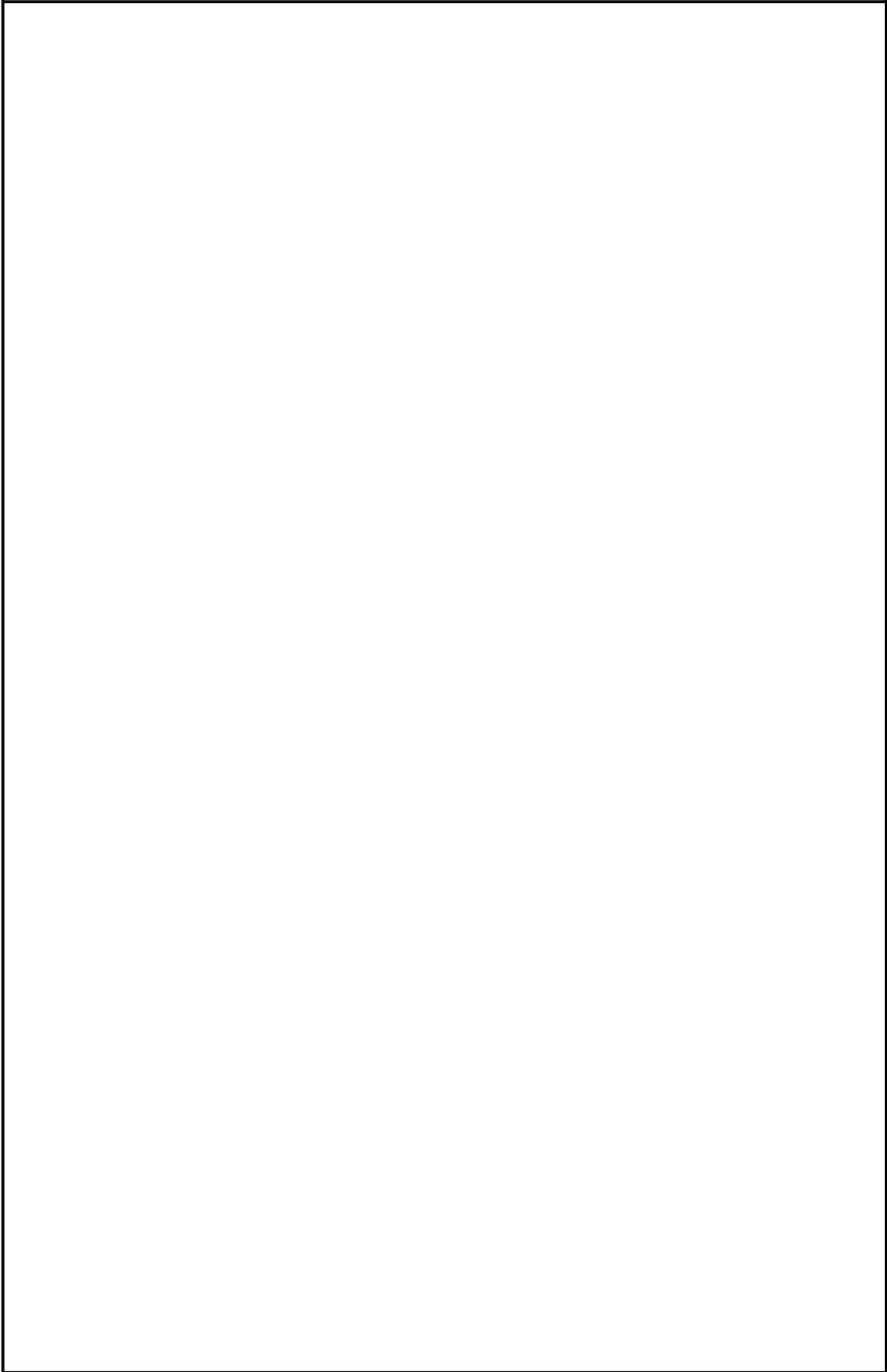
POLICE COMMISSIONER ROBERT RAAS: Second.

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

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

(Hearing was adjourned.)



## ERRATA SHEET

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

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

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## CERTIFICATION

Commonwealth of Massachusetts

Norfolk, ss.

I, Jill Kourafas, a Notary Public in and  
for the Commonwealth of Massachusetts, do hereby  
certify:

That the hearing herein before set forth  
is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 2nd day of April 2015.

-----  
Jill Kourafas  
Certified Shorthand Reporter  
License No. 14903  
Notary Public

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