

CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR NICOLE MURATI FERRER

ASSISTANT FIRE CHIEF GERARD MAHONEY

POLICE COMMISSIONER CHRIS BURKE

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

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AT: Cambridge Police Headquarters  
Robert W. Healy Public Safety Building  
125 Sixth Street  
Cambridge, Massachusetts

DATE: Monday, May 16, 2016

TIME: 5:30 p.m.

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May 16, 2016

EXECUTIVE DIRECTOR ELIZABETH LINT: If anyone has a cell phone on, please silence it.

This is the License Commission agenda for Monday, May 16, 2016 at 5:30. We are in the Robert W. Healy Public Safety Building, 125 Sixth Street, Community Room.

Before you are Commissioners Chair Nicole Murati Ferrer, Superintendent Chris Burke and Assistant Chief Gerard Mahoney,

The first matters are administrative.

CHAIR NICOLE MURATI FERRER: You missed it.

EXECUTIVE DIRECTOR ELIZABETH LINT: What did I call him?

CHAIR NICOLE MURATI FERRER:  
"Superintendent."

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm  
sorry. It was --

ASSISTANT FIRE CHIEF GERARD MAHONEY:  
Change of letterhead.

CHAIR NICOLE MURATI FERRER: I know. I  
already ordered it.

**ADMINISTRATIVE MATTERS**

**SUMIAO XIANG RESTAURANT, LLC D/B/A SUMIAO'S  
SHAWMUT DESIGN - SPECIAL NOISE VARIANCE**

EXECUTIVE DIRECTOR ELIZABETH LINT: The  
first matters are administrative.

CHAIR NICOLE MURATI FERRER: Just for the  
record, it is being audio and tape recorded.

CHAIR NICOLE MURATI FERRER: So the  
matter, No. 1, the Sumiao Xiang Restaurant, was  
deferred again. We still don't have a lease from  
them.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Everything else is --

CHAIR NICOLE MURATI FERRER: Matter No.

2, we actually heard this on May 13, 2016.

**WEST SIDE LOUNGE**

EXECUTIVE DIRECTOR ELIZABETH LINT: The next matter is Holly Heslop and Charlie Christopher have applied to hold the West Side Lounge license at 1680 Mass. Ave as inactive status.

CHAIR NICOLE MURATI FERRER: We have a letter from them that they are closing because they are going to sell the license and that they hired an agent and that will take only three months to complete.

I personally like these on for a hearing initially unless -- you know, unless it's an act of God or something or an act of nature that deem

the business not usable anymore.

So, because of that, I would maybe give them the three months, but after that, I would hold a hearing just to kind've start the clock with these inactive status licenses otherwise you can't really start the clock until you have them in front of you, so would you guys be okay with that?

POLICE COMMISSIONER CHRIS BURKE: I agree.

CHAIR NICOLE MURATI FERRER: Okay. So three-month inactive status granted.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Do you need a motion? Huh?

CHAIR NICOLE MURATI FERRER: I don't do motions.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Okay.

CHAIR NICOLE MURATI FERRER: I don't

know.

If you want to do it through a motion, but I think if we all agree with three-month inactive status and then we would have a hearing after the three months lapsed.

KIM COURTNEY: Madam Chair, may I please ask what type of license this is? It doesn't say on the agenda.

CHAIR NICOLE MURATI FERRER: It is the West Side Lounge at 1680 Massachusetts Avenue in Cambridge.

CHAIR NICOLE MURATI FERRER: Is it a full liquor license?

EXECUTIVE DIRECTOR ELIZABETH LINT: It is an all alcoholic beverages as a restaurant license.

**ATV, INC D/B/A TAGS HARDWARE**

CHAIR NICOLE MURATI FERRER: ATV



Incorporated doing business as Tags Hardware has applied to change the manager from Margaret Morgan to Senneth Berrier.

That's a flammables license.

CHAIR NICOLE MURATI FERRER: This is a flammables license.

Granted.

#### LIFE ALIVE

EXECUTIVE DIRECTOR ELIZABETH LINT: Keith Pascal on behalf of Life Alive, 765 Massachusetts Avenue has applied to increase their hours to open at 8 a.m. and close at 11 p.m., 7 days a week. They currently close at 10 p.m.

CHAIR NICOLE MURATI FERRER: Remind me, does the old one also have the 11 p.m. closing?

EXECUTIVE DIRECTOR ELIZABETH LINT: It did not.

CHAIR NICOLE MURATI FERRER: There's a CV

on that, that had no issues with them, correct?

EXECUTIVE DIRECTOR ELIZABETH LINT:

Uh-huh.

CHAIR NICOLE MURATI FERRER: I would be inclined to grant them the 11 p.m. closing.

POLICE COMMISSIONER CHRIS BURKE: I would agree.

CHAIR NICOLE MURATI FERRER: So granted.

**MONA LISA RESTAURANT INCORPORATED**

EXECUTIVE DIRECTOR ELIZABETH LINT: Mona Lisa Restaurant Incorporated at 1621 Cambridge Street has filed a waiver of rehearing for failure to timely renew their 2016 entertainment license.

They actually hadn't renewed it for several years but there's no fee associated with it. It is one television.

CHAIR NICOLE MURATI FERRER: And they

have not done this before?

EXECUTIVE DIRECTOR ELIZABETH LINT: No.

CHAIR NICOLE MURATI FERRER: We also have not alerted them?

EXECUTIVE DIRECTOR ELIZABETH LINT: No, we have not.

CHAIR NICOLE MURATI FERRER: Do we know what the problem was?

EXECUTIVE DIRECTOR ELIZABETH LINT: I don't. Just one of those falling through the cracks.

CHAIR NICOLE MURATI FERRER: Did we link it already?

EXECUTIVE DIRECTOR ELIZABETH LINT: I probably did not because it was not active.

CHAIR NICOLE MURATI FERRER: I mean, the way we voted last time on these was if it was a first-time violation warning, so I would be inclined to doing that considering that they

actually came to us, I would do a violation warning on this.

POLICE COMMISSIONER CHRIS BURKE: I would agree on that.

CHAIR NICOLE MURATI FERRER: Violation warning.

EXECUTIVE DIRECTOR ELIZABETH LINT: In fact, he came in and asked to pick up his licenses. He didn't know why I didn't have any paperwork.

CHAIR NICOLE MURATI FERRER: We should make sure with regard to the information, make sure we link him as well.

**W.H. GLANCY & SONS**

EXECUTIVE DIRECTOR ELIZABETH LINT:  
Michael Glancy on behalf of W.H. Glancy & Sons has applied for a special noise variance to be exercised on May 21 ending on May 22, from 5 a.m.

to 8 p.m., at 105 Mass Ave for hoisting an HVAC unit on Building 9 at MIT. This involves back-up alarms, truck engines and crane booms.

CHAIR NICOLE MURATI FERRER: We got the sign-off from the other departments that they have gone through their process and they are okay with this.

This is MIT property, and within MIT, and they are basically requesting it so they can hoist the HVAC system. It is just about the crane set-up.

POLICE COMMISSIONER CHRIS BURKE: Right.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

That's fine.

CHAIR NICOLE MURATI FERRER: Granted.

POLICE COMMISSIONER CHRIS BURKE:

Granted.

W.H. GLANCY & SONS

EXECUTIVE DIRECTOR ELIZABETH LINT:

Samantha Glancy on behalf of W.H. Glancy & Sons has applied for a special noise variance to be exercised on May 28 ending on May 28, from 5 a.m. to 6 p.m., on Vassar Street, MIT Building 31, for hoisting an HVAC at MIT. This involves back-up alarms and truck engines but no crane booms.

CHAIR NICOLE MURATI FERRER: The same. I would vote to grant.

POLICE COMMISSIONER CHRIS BURKE:

Granted.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: The next is your rule proposals.

CHAIR NICOLE MURATI FERRER: And this?

EXECUTIVE DIRECTOR ELIZABETH LINT: That

did not make the admin agenda, so do you want --

CHAIR NICOLE MURATI FERRER: But it has to be heard today?

EXECUTIVE DIRECTOR ELIZABETH LINT: It does.

**CLOVER**

EXECUTIVE DIRECTOR ELIZABETH LINT: So Clover was given a suspension originally but the mail came back to us and so they were given a new notice and the dates were changed to be suspended from May 18 to May 19.

CHAIR NICOLE MURATI FERRER: When were they given that new notice?

EXECUTIVE DIRECTOR ELIZABETH LINT: April 29.

So on May 6, I received an email requesting to change the suspension dates because they wanted more time to relocate the 10

full-time employees.

CHAIR NICOLE MURATI FERRER: We voted on the record the day of the hearing, which was -- do we know when the hearing was? I can't remember, but it was sometime in April, wasn't it, the beginning of April?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yeah. It was on --

CHAIR NICOLE MURATI FERRER: They got the two-day suspension which got returned, even though it got delivered to them hand-delivery, because it was so short in time, I think it was only like five days, we changed to May 18 and the 19 on April 29. I mean, I think they had time. Although I feel for the employees, I mean, this was actually caused by the employees that are issuing their suspension and whatnot.

I would vote to deny this. I think they have had sufficient time, so I personally think



they don't need additional time. I don't know.

ASSISTANT FIRE CHIEF GERARD MAHONEY: I would agree.

CHAIR NICOLE MURATI FERRER: I would deny the request to change the dates to the suspension.

POLICE COMMISSIONER CHRIS BURKE: Denied. I agree.

CHAIR NICOLE MURATI FERRER: Denied.

EXECUTIVE DIRECTOR ELIZABETH LINT: Curiously the mail came back today, the one they said they never got, and it had the correct address on it.

CHAIR NICOLE MURATI FERRER: So it must be served May 18 and 19.

**RULE PROPOSALS:**

EXECUTIVE DIRECTOR ELIZABETH LINT: We have rules.

CHAIR NICOLE MURATI FERRER: Anyone here to discuss the rules, the proposed rules?

Why don't we take the public -- where is the one-day list?

EXECUTIVE DIRECTOR ELIZABETH LINT: We didn't have one. They all came in.

CHAIR NICOLE MURATI FERRER: But I told Kara to create a list.

EXECUTIVE DIRECTOR ELIZABETH LINT: She didn't.

CHAIR NICOLE MURATI FERRER: Let's see if there are people here for public testimony anyway.

So we'll go back to see if anyone wants to talk about the rules afterwards.

**APPLICATION: INDULGE INDIA, LLC**

EXECUTIVE DIRECTOR ELIZABETH LINT:  
Application: Indulge India, LLC has applied for

a peddler/vendor license to operate a mobile food truck at 150 Cambridgepark Drive on Fridays from 11 a.m. to 2:30 p.m.

CHAIR NICOLE MURATI FERRER: Please state your name for the record.

MANOJ KUMAR MANMOHAN: Manoj Kumar Manmohan.

CHAIR NICOLE MURATI FERRER: Could you please spell it also?

MANOJ KUMAR MANMOHAN: M-A-N-O-J  
K-U-M-A-R M-A-N-M-O-H-A-N.

CHAIR NICOLE MURATI FERRER: And you requested a peddler's license to vend at 150 Cambridgepark Drive, is that correct?

MANOJ KUMAR MANMOHAN: Yes.

CHAIR NICOLE MURATI FERRER: And every Friday?

MANOJ KUMAR MANMOHAN: Yes.

CHAIR NICOLE MURATI FERRER: And then

from 11 a.m. to 2:30 p.m., correct?

MANOJ KUMAR MANMOHAN: Yes.

CHAIR NICOLE MURATI FERRER: Can you tell us what you will be selling from your food truck?

MANOJ KUMAR MANMOHAN: Indian food.

CHAIR NICOLE MURATI FERRER: I note for the record that you just gave us your CORI which we will return.

You have your inspections all set up. And you have provided us the certificate of registration and your peddler license from the state, correct.

MANOJ KUMAR MANMOHAN: Yes.

CHAIR NICOLE MURATI FERRER: Okay. Any question?

ASSISTANT FIRE CHIEF GERARD MAHONEY: Everything appears in order.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

Anyone in opposition to this petition?

Okay, so provided that we have no issues with your CORI I vote to grant.

POLICE COMMISSIONER CHRIS BURKE: I agree. Grant.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Agreed.

CHAIR NICOLE MURATI FERRER: Granted, and so call tomorrow morning the office and then talk to Kara.

MANOJ KUMAR MANMOHAN: What is the number?

CHAIR NICOLE MURATI FERRER: 617-349-6140. You can call after 8:30 a.m., okay?

MANOJ KUMAR MANMOHAN: And the name is Kara?

CHAIR NICOLE MURATI FERRER: Kara.

EXECUTIVE DIRECTOR ELIZABETH LINT: Kara.

CHAIR NICOLE MURATI FERRER: Thank you.

**APPLICATION: SUN N SUN, INC.**

**D/B/A SURYA INDIAN KITCHEN N CATERING**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Sun N Sun, Incorporated doing business as Surya Indian Kitchen n Catering has applied for a common victualler license at 114 Magazine Street with a proposed seating capacity of 18 and proposed hours of 10 a.m. to 10 p.m. seven days per week. Gopal Rungta as proposed manager of record. Premise is described as first floor restaurant with open seating plan/kitchen.

CHAIR NICOLE MURATI FERRER: Thank you.

Good afternoon.

Could you please state your name and spell it for the record.

GOPAL RUNGTA: Gopal Rungta, G-O-P-A-L  
R-U-N-G-T-A.

CHAIR NICOLE MURATI FERRER: Can you tell us a little about your application?

GOPAL RUNGTA: Trying to bring in some healthy Indian food in the area, gluten free.

I'm currently part of MIT, independent dining. I owned an Indian restaurant in the student center, pretty much bringing the same concept, reasonably priced, generous portion, healthy Indian food.

CHAIR NICOLE MURATI FERRER: So I am just curious, so when you say "healthy Indian food," does that mean like the creamy sauces are going to be out the window?

GOPAL RUNGTA: There will be creamy sauces.

CHAIR NICOLE MURATI FERRER: The best things about the Indian food are the sauces.

GOPAL RUNGTA: If you look at my menu, everything is very self-explanatory, which has

diary in it, which has nut, and totally, totally nut-free and totally gluten-free entrees.

CHAIR NICOLE MURATI FERRER: I see.

Okay.

GOPAL RUNGTA: It is just how you package it.

CHAIR NICOLE MURATI FERRER: I note you have your sign-offs and we did get --

GOPAL RUNGTA: What hours did you say? I could not hear you, ma'am.

CHAIR NICOLE MURATI FERRER: Here, in your application, it says that you are proposing to be open seven days a week from 10 a.m. to 10 p.m.

GOPAL RUNGTA: Actually, it is 7 to 10 from the same hours with previous restaurant had. Currently, I will be opening from 10 to 10, but then once it gets going a little bit, I want to incorporate the breakfast also very soon.



CHAIR NICOLE MURATI FERRER: So why don't we do this, because when we approve hours, the way that it has been working with the Commission, is that you have to be open those hours that we grant you. So if right now, you are only seeking to be open 10 a.m. to 10 p.m., let's do it that way, and then when you decide, you submit a request to change the hours to the Commission and then we'll go from there.

GOPAL RUNGTA: Yes, ma'am.

CHAIR NICOLE MURATI FERRER: And then I did see somewhere around here, did we get a letter from --

ASSISTANT FIRE CHIEF GERARD MAHONEY: Is this an existing restaurant space?

GOPAL RUNGTA: Yes. Everything is the same, pretty much.

ASSISTANT FIRE CHIEF GERARD MAHONEY:  
What is the restaurant that's there currently?

GOPAL RUNGTA: Used to be Village Grill and Seafood. Pretty famous old place, like people know -- people in the neighborhood know that place.

CHAIR NICOLE MURATI FERRER: Any other questions?

POLICE COMMISSIONER CHRIS BURKE: What percentage of your menu is gluten free? The entire menu?

GOPAL RUNGTA: All the entrees.

POLICE COMMISSIONER CHRIS BURKE: Okay.

CHAIR NICOLE MURATI FERRER: Wow. Is that on your menu? I didn't see that. And I see here that the phone number was crossed off but this is -- is this your number 857-246-0966?

GOPAL RUNGTA: That's my cell phone number.

CHAIR NICOLE MURATI FERRER: Any other questions?

ASSISTANT FIRE CHIEF GERARD MAHONEY:

No.

CHAIR NICOLE MURATI FERRER: I vote to  
grant.

POLICE COMMISSIONER CHRIS BURKE: I vote  
to grant as well.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Agreed.

CHAIR NICOLE MURATI FERRER: So granted.

**APPLICATION: CAFFE NERO AMERICAS, INC.**

**D/B/A CAFFE NERO**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Caffe Nero Americas, Incorporated  
doing business as Caffe Nero has applied for a  
common victualer license at 589 Mass. Ave with a  
proposed seating capacity of 60 inside and 14  
seasonal patio seats on the public sidewalk with  
proposed hours of 6 a.m. to 10 p.m., seven days

per week.

Nora Haley as proposed manager of record. Premise is described as restaurant with two dining areas, lounge, and service counter on the ground floor. Storage, kitchen and bathrooms are in the basement. Seasonal outdoor seating on public property.

CHAIR NICOLE MURATI FERRER: Good afternoon.

ATTY JAMES RAFFERTY: Good afternoon, Madam Chair and Members of the Commission.

For the record my name is James Rafferty and I'm appearing this evening on behalf of the applicant and seated to my right is Bruce Kidder, K-I-D-D-E-R. He's with Caffe Nero.

CHAIR NICOLE MURATI FERRER: Thank you.

Go ahead, counselor.

ATTY JAMES RAFFERTY: As the Commission may be aware, maybe not, Caffe Nero is a

European-style cafe, recently arrived in the Boston market.

They are so European that they put two Fs in the word cafe, if you notice on the title.

It is proposed to go in the location where the 7-11 has been on Mass. Ave, just beyond the Walgreen's before you get to the HMart there at the corner of Essex Street or just beyond the corner of Essex Street, there's a hairdressing salon, haircuts, and this is right next door.

The space has been vacant more than a year, would be my estimate.

So at any rate, it is an exciting concept and they have distinguished themselves, or perhaps best known for, and Mr. Kidder could go into it, the attention and detail they put into the interior of the space.

Each space is individual. They use a range of furnishings to create a very welcoming

atmosphere.

It is proposed to have 80 seats, if you note on the floor plan, but they have things like fireplaces and soft chairs and gathering areas.

And as you may have noticed from the menu, they do have a range of food products from principally sandwiches and salads but other items and, of course, they do sell a range of coffees and juices as well, but it's a cafe in the true European sense.

People are encouraged to linger and the size of the space is designed to not only accommodate people who may be taking out during the lunch hour or the morning hour but for people that dine in.

They believe there's a market there for a light dinner market, that's why they intend to remain open until 10:00 in the evening and they would continue to serve their salads and

sandwiches as there's sufficient -- some people would chose them as a dinner entree, frankly.

It is for that reason that they are excited to come to Cambridge.

They are already in a few places in Boston. Jamaica Plain Downtown Crossing, Longwood and the South End. So this would be their first venture into Cambridge.

CHAIR NICOLE MURATI FERRER: Didn't you also open near Pier-something?

BRUCE KIDDER: Fort Point tomorrow. That's where I have been all week. That's why Nora is not here.

ASSISTANT FIRE CHIEF GERARD MAHONEY: Tomorrow that is opening.

BRUCE KIDDER: Yeah, the whole crew. People from the UK are flying in and we are getting ready to open tomorrow.

CHAIR NICOLE MURATI FERRER: It looked

open on Saturday.

BRUCE KIDDER: Oh, you went on by Saturday?

CHAIR NICOLE MURATI FERRER: Yeah, I drove by because I was like I didn't know that they opened there.

BRUCE KIDDER: We were setting up the outdoor patio Saturday.

CHAIR NICOLE MURATI FERRER: I was confused.

ATTY JAMES RAFFERTY: So they wanted to get it right before they came to Cambridge so now that they are on their fifth one in Boston because a lot of people -- Boston is very different than Cambridge. Much harder to succeed in Cambridge. We have much higher standards, as the Commission knows.

CHAIR NICOLE MURATI FERRER: So the -- so it is only 60 seats inside and 14 outside and



then 85 total occupancy. I'm assuming those other extra are standing room inside?

ATTY JAMES RAFFERTY: Standing, waiting for a table, ordering an item to go.

CHAIR NICOLE MURATI FERRER: We established that it was a public patio.

ATTY JAMES RAFFERTY: It's the sidewalk.

We still would have to go through the sidewalk approval process with DPW and ultimately the City Council, of course, but we are seeking authorization now.

CHAIR NICOLE MURATI FERRER: Your entertainment license is also 6 to 10 and basically --

ATTY JAMES RAFFERTY: It's just background music.

BRUCE KIDDER: Background music, right.

CHAIR NICOLE MURATI FERRER: Still putting flakes of chocolate on the cappuccino?

BRUCE KIDDER: If you order it that way, yeah, mochachino.

ATTY JAMES RAFFERTY: It is gluten free chocolate.

BRUCE KIDDER: Our paninis are well --- very good. We own our own roasterie.

All our beans come from Italy. It is not -- it's just a really good experience. It really is. People sit in there for two or three hours. Han around. Free wifi.

CHAIR NICOLE MURATI FERRER: I mean, I see here that you are saying that you are not going to apply for an alcoholic beverage, but if you are so European, I'm wondering, are you ever going to branch out to the cordial stuff?

BRUCE KIDDER: The only place we have an alcohol license right now is Poland.

CHAIR NICOLE MURATI FERRER: Interesting.

BRUCE KIDDER: We have 650 locations

throughout the world.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Really?

BRUCE KIDDER: Yeah. Five in the United States. We just moved here. We are not opposed to the --

CHAIR NICOLE MURATI FERRER: I'm not telling you to do so. I just thought it was an interesting concept.

BRUCE KIDDER: I mean, we talk about it. But how do you do it, and how do you maintain what you have and what's working for you. You know, you don't want to change the atmosphere around.

CHAIR NICOLE MURATI FERRER: Okay. Everything seems to be in order.

Any questions?

ASSISTANT FIRE CHIEF GERARD MAHONEY: I have nothing further.

POLICE COMMISSIONER CHRIS BURKE: No questions.

CHAIR NICOLE MURATI FERRER: Okay, I vote to grant.

ASSISTANT FIRE CHIEF GERARD MAHONEY: I agree.

POLICE COMMISSIONER CHRIS BURKE: I would agree.

CHAIR NICOLE MURATI FERRER: So granted.

ATTY JAMES RAFFERTY: Thank you.

ASSISTANT FIRE CHIEF GERARD MAHONEY:  
Good luck.

**INFORMATIONAL FAWAZ ABU RUBAYAH D/B/A/ BAB AL AMOD**

EXECUTIVE DIRECTOR ELIZABETH LINT:

Information matter: Fawaz Abu Rubayah doing business as Bab Al Amod for clarification of the number of seats at 148 to 150 Western Avenue pursuant to the BZA case No. 9901.

CHAIR NICOLE MURATI FERRER: Did you contact them?

Do you have confirmation that he was supposed to come today?

EXECUTIVE DIRECTOR ELIZABETH LINT: I thought Chris contacted him but I can't confirm.

CHAIR NICOLE MURATI FERRER: I would defer this matter because this is one of the ones that we moved around because we had to cancel that meeting last week and if we don't have confirmation that he was okay with this hearing I don't want to take action on anything.

EXECUTIVE DIRECTOR ELIZABETH LINT: I'm fairly certain he did.

**APPLICATION: MOKSA, LLC**

**D/B/A MONROE**

EXECUTIVE DIRECTOR ELIZABETH LINT: MOKSA, LLC, doing business as Monroe, holder of a common

victualer all alcohol license at 450  
Massachusetts Avenue for a change of manager to  
Brig Dauber.

CHAIR NICOLE MURATI FERRER: Good  
afternoon. Please state and spell your name for  
the record.

SOLMON CHOWDHURY: Good afternoon.  
Solmon Chowdhury S-O-L-M-O-N C-H-O-W-D-H-U-R-Y.  
I'm the manager/owner of Moksa, LLC.

BRIG DAUBER: Brig Dauber B-R-I-G  
D-A-U-B-E-R.

CHAIR NICOLE MURATI FERRER: Okay. Thank  
you.

And Mr. Dauber, you are going to be --  
you are the proposed new manager of record,  
correct?

BRIG DAUBER: Yes, ma'am.

CHAIR NICOLE MURATI FERRER: And you have  
extensive experience managing, is that correct?

BRIG DAUBER: I do.

CHAIR NICOLE MURATI FERRER: Would you please tell the Commission for the benefit of the record.

BRIG DAUBER: I first started out at, in about 2000, at Avalon and Axis on Landsdowne Street, and started as a security guard and then worked into management for the next three years there, was the general manager of record for Axis until 2007 when Landsdowne Street was renovated to become House of Blues.

Then moved over and took most of the staff over to The Estate which is located at 20 Boylston Place and was the manager of record there until 2010 when I left The Estate to renovate what was Roxy into Royale and was the general manager of record there from 2010 until 2015, New Year's Eve.

And I then moved to Cleveland on a whim

to help my friend with an on-line clothing company and became a partner there. And Cleveland was not as exciting as I thought it was gonna be. But it was a great learning experience. I did that until about this past July, July 4, I believe is when I moved back. And in the meantime, I've always known Mr. Chowdhury, and wanted to start talking with him about helping him out at his location, which was then Naga, and took it from there.

CHAIR NICOLE MURATI FERRER: Thank you.

BRIG DAUBER: I have been here since the end of July.

CHAIR NICOLE MURATI FERRER: Of last year?

BRIG DAUBER: Yes, ma'am.

CHAIR NICOLE MURATI FERRER: So I am assuming you are well aware of the history of this establishment with the Commission, correct?



BRIG DAUBER: I am.

CHAIR NICOLE MURATI FERRER: And can you tell us how you propose to make sure that none of the past issues arise again.

BRIG DAUBER: It is my understanding they-- what seems to be like spurts of activity where there will be dead periods of time and then periods of time where there will be lots of activity or nights that basically will be over -- almost over-promoted or things like that.

So my intention is to really try to keep things as balanced as possible and try to keep things, you know, between the police officers that we have on detail, the security staff, and management staff, the other managers there that are there in the restaurant and kinda keep things very balanced moving forward.

There's a lot of small changes that we made immediately and I think now that we have an

opportunity of the new management, try and get some of those bigger things done. The older management was great, but as they were there for -- since opening, everybody kinda gets into their groove and now can kinda make some more aggressive changes and kinda keep things in my best -- just balance it out, you know. There's obviously your busier nights and less busier nights but to balance it out would be the main goal.

POLICE COMMISSIONER CHRIS BURKE: One question, I had an opportunity to go on the Monroe website and it talks about a Friday event and it provides a description "Crush it. Smoke it. Drink it. Come hard on Friday with us."

Could you offer a translation on what exactly that means?

BRIG DAUBER: It actually doesn't mean a thing, really. It is --

POLICE COMMISSIONER CHRIS BURKE: It is offered as a description of Friday night.

BRIG DAUBER: Sure, sure. It is most likely written as a promotion.

POLICE COMMISSIONER CHRIS BURKE: What is being promoted?

BRIG DAUBER: Just a dance night, sir.

POLICE COMMISSIONER CHRIS BURKE: "Crush it. Smoke it. Drink it. Come hard on Friday with us."

BRIG DAUBER: Slang.

POLICE COMMISSIONER CHRIS BURKE: I know. So what is the interpretation of that slang?

BRIG DAUBER: It would be like saying go hard or party well or something of that nature.

Not necessarily meaning or trying to elicit any type of negativity, but I do understand how it does look, so things like that, we'll try to keep as close an eye on as possible.

As you know, there's flyers promoting -- outside promotion teams, promoters, marketing people that work some with a venue but also within their own companies throughout the city, so they are very, very hard to manage especially with their language.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

But is that your website?

BRIG DAUBER: All the flyers and stuff like that would go through the social media stuff, but it doesn't necessarily reflect anything that we put out ourselves.

POLICE COMMISSIONER CHRIS BURKE: So are you telling me that you are not responsible for the marketing of the events at this venue?

BRIG DAUBER: Oh, no, we manage them 100 percent. But point being, we don't necessarily write the language ourselves is my point.

POLICE COMMISSIONER CHRIS BURKE: Well,

as a casual observer, it sounds to me, it's promoting behavior that crosses the line. Do you allow smoking in the establishment?

BRIG DAUBER: No. We discourage smoking.

POLICE COMMISSIONER CHRIS BURKE: You discourage it.

BRIG DAUBER: It is not allowed, of course.

POLICE COMMISSIONER CHRIS BURKE: Okay.

CHAIR NICOLE MURATI FERRER: So are these things that you are going to be looking into as manager? I mean --

BRIG DAUBER: Of course.

CHAIR NICOLE MURATI FERRER: -- as you can see there's a lot of history in terms of -- and if you look at the record in terms of police reports and police activity surrounding the establishment, obviously, there's a lot going on that needs to kind've be tightened up.

As you know, you guys are going to be in front of us I think is it the next agenda for a disciplinary matter or the one after that.

EXECUTIVE DIRECTOR ELIZABETH LINT: I think it is the one after that.

CHAIR NICOLE MURATI FERRER: So, you know, there's a lot in the pipeline.

SOLMON CHOWDHURY: We haven't gotten anything.

CHAIR NICOLE MURATI FERRER: So then it probably will be on June 7, so you will probably be receiving it. So there's this --

BRIG DAUBER: Absolutely.

You know, I have been in that position before and intend to not work against anyone. To try to make the situation and/or the culture of the nightclub and establishment better, you know, absolutely, I don't want to work against the board or against the city in any way, shape, or

form.

We understand we need to make moves to make a safe environment and see, you know, all things like this. Absolutely, it will be taken care of, sir.

CHAIR NICOLE MURATI FERRER: With regard to promoters, remember, there's no -- I mean, it doesn't matter whether you are using promoters, you are not really transferring, and so you are supposed to be in control all the time, even of the stuff they put out, even if it is not on your website, even if it's just flyers, you guys should be on top of that.

Because again, whatever happens comes back on you. And, Mr. Dauber, I don't need to remind you about that with regard to the disciplinary record.

BRIG DAUBER: Of course. With Facebook and Instagram now, it used to be a bit of an

easier battle to kinda come over those things and manage and kinda see what people are putting out there, but there's like 15 sort've media outlets now, and so it's almost a full-job to do that, and we intend to keep an eye on everything that's put on a weekly basis.

CHAIR NICOLE MURATI FERRER: So with that said, we also need the proof of citizenship that's required with the manager application. We also need the -- actually, I'm going to give them back to you so that we can get these done properly. The CORI stuff needs to be signed. And then 4B needs to be --

BRIG DAUBER: Sure.

CHAIR NICOLE MURATI FERRER: Then I would say we take this under advisement while the application is completed.

POLICE COMMISSIONER CHRIS BURKE: I agree.



ASSISTANT FIRE CHIEF GEARDD MAHONEY: I would agree with that.

CHAIR NICOLE MURATI FERRER: We'll take it under advisement and take the application and submit it to you.

**APPLICATION: MJ AUTO SALES, INC.**

EXECUTIVE DIRECTOR ELIZABETH LINT: MJ Auto Sales is continued until June 7.

ASSISTANT FIRE CHIEF GERALD MAHONEY: Continued that was?

CHAIR NICOLE MURATI FERRER: Until June 7.

CHAIR NICOLE MURATI FERRER: Now, Elizabeth, so these --

EXECUTIVE DIRECTOR ELIZABETH LINT: I'll read them.

CHAIR NICOLE MURATI FERRER: I can read them.

EXECUTIVE DIRECTOR ELIZABETH LINT: We can split them. When you get tired, I'll take them.

CHAIR NICOLE MURATI FERRER: So can you explain to me why these are all here now?

EXECUTIVE DIRECTOR ELIZABETH LINT: Because they all just came in. The top one came in at 4:30 today. And they all are for events happening before our next hearing. There are 61 for Harvard.

ASSISTANT FIRE CHIEF GERARD MAHONEY: One day?

CHAIR NICOLE MURATI FERRER: Yeah.

EXECUTIVE DIRECTOR ELIZABETH LINT: Uh-huh.

**ONE-DAY ALCOHOLIC BEVERAGES, ENTERTAINMENT  
AND/OR ALCOHOLIC BEVERAGES WITH ENTERTAINMENT  
LICENSES:**

**CAFE ART SCIENCE - BOSTON REALTY ADVISORS**

CHAIR NICOLE MURATI FERRER: This is a one-day amendment to an existing license from Todd Maul (phonetic) from Cafe Art Science for an alcohol license at 650 East Kendall Street. They are hosting a private event for Boston Realty Advisors. They are going to do it in the lounge and gallery adjacent to the restaurant.

It is -- they do this quite often, actually, and it is on May 24 from 6 p.m. to 10 p.m.

We haven't any issues with them, so I would vote to grant.

POLICE COMMISSIONER CHRIS BURKE: I would grant.

CHAIR NICOLE MURATI FERRER: Granted.

ASSISTANT FIRE CHIEF GERARD MAHONEY:  
Agreed.

**ARLYN dEPAGTER (MIT)**

CHAIR NICOLE MURATI FERRER: Arlyn dePagter has applied for a wine and malt license on May 18. It will be at 60 Vassar Street in Cambridge from 3 p.m. to 5 p.m. It is at MIT. Granted.

POLICE COMMISSIONER CHRIS BURKE:

Granted.

ASSISTANT FIRE CHIEF GERARD MAHONEY:

Granted.

**ARLYN dEPAGTER (MIT)**

CHAIR NICOLE MURATI FERRER: Arlyn dePagter has applied for a wine and malt license at MIT at 60 Vassar Street from 4 to 6 on May 19. Granted.

EXECUTIVE DIRECTOR ELIZABETH LINT: Those are all Harvard.

**HARVARD ALUMNI ASSOCIATION EVENTS**

CHAIR NICOLE MURATI FERRER: Harvard Alumni Association apparently forgot our process.

So May 19 from 5 p.m. to 7:30 p.m., Quad Lawn Radcliffe, they are asking for recorded live music. Sergeant Toomey signed and two detail officers. So granted with police detail required.

Harvard Alumni Association, 124 Mt. Auburn Street at the Science Center Plaza for a party on Saturday, May 21 from 9 p.m. to 1 a.m.

This is for wine and malt license also. Sergeant Toomey, he has requested sergeant and three Harvard police officers.

So granted with police detail required.

Harvard Alumni Association at the Makinkla (phonetic) Courtyard Levitt House applied for an entertainment license for recorded

live music and amplification system on May 21  
from 3 to 5.

Granted. And police detail is required,  
is requested.

Harvard Alumni Association, 124 Mt.  
Auburn Street, the 50th Reunion Classmate  
Mingling on Sunday, May 2 from 6 p.m. to 10 p.m.,  
malt and wine.

Granted. And police detail is required,  
requested.

Harvard Alumni Association, the 50th  
Reunion Cocktail on May 23, 5:30 to 6:30. This  
is for an all alcohol there. Granted.

Police detail is required. Harvard  
Alumni Association 50th Reunion Welcome Dinner on  
Monday, May 23, 6:30 to 8 p.m. at Science Center.  
Granted. Police detail.

Harvard Alumni Association 50th Reunion  
Social Hour on Monday, May 23 from 10 p.m. to

11:30 at the Dunster House.

They are going to be walking a lot on May 23. Police detail.

POLICE COMMISSIONER CHRIS BURKE: Busy day.

CHAIR NICOLE MURATI FERRER: I mean, seriously. Why not have it in one place. Poor things.

Harvard Alumni Association, the 50th Reunion Pops Dinner on Tuesday, May 24, 5:15 to 6:15 p.m. at the Elgus (phonetic) House. Granted and police detail required.

Harvard Alumni Association 50th Reunion Social Hour on May 24 from 10 to 11:30 at the Dunster House. Granted and police detail.

Harvard Alumni Association, the 55th Reunion, Cocktails and Dinner, on May 24 from 6:30 to 9 p.m. at the Lowell House.

Granted. Police detail required.

Harvard Alumni Association, Banquet and Reception on May 24 from 5 to 6:30 at the Science Center. Granted police detail is required.

Harvard Alumni Association, the 55th Reunion Lunch. This one can wait.

This one can wait.

EXECUTIVE DIRECTOR ELIZABETH LINT: That may be it.

CHAIR NICOLE MURATI FERRER: We are going to have a meeting on the 24th and vote on them and put them on the agenda.

CHAIR NICOLE MURATI FERRER: At least I would feel more comfortable waiting. You guys are free to vote on them if you want.

ASSISTANT FIRE CHIEF GERARD MAHONEY: That's quite all right.

CHAIR NICOLE MURATI FERRER: All the other ones are -- all of these can go on to the May 24 agenda.



That's it. And for the record, does anyone want to speak as to the proposed rules?

It is 6:10. No. Nope. So we are adjourned.

(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 20th day of May, 2016.

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

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