



Town of Arlington Board of Selectmen

Meeting Agenda

November 14, 2016

7:15 PM

Selectmen's Chambers, 2nd Floor, Town Hall

PROCLAMATIONS

1. Arlington Recycles Week
Gordon Jamieson

CONSENT AGENDA

2. Minutes of Meetings: October 31, 2016
3. Appointment of New Election Workers: (1) Margaret Fichera, 39 Temple Street, D, Pct. 8; (2) Diane Porcari, 34 Hamilton Road #409, D, Pct. 2; (3) Jeanne Wall, 36 Udine Street, D, Pct. 13

PUBLIC HEARINGS

4. Hearing: Illegality on Licensed Premise - Violation of 204 C.M.R. 2.05(2)
Arlington Liquors, Inc. d/b/a Arlington Liquors
94B Summer Street
Alexander Kushnirsky, Manager/President
Douglas W. Heim, Town Counsel

LICENSES & PERMITS

5. Request: All Alcohol License Change of Stockholder & Change of Manager
Y Plus Y Inc., 303A Broadway, Attorney Wei Jia, Fusion Taste
6. Request: Common Victualler and Wine & Malt Licenses
Noodle Market, 470-472 Massachusetts Avenue, Juthamas Pornsuwattanakul

CITIZENS OPEN FORUM - SIGN IN PRIOR TO BEGINNING OF OPEN FORUM

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established. It should be noted that there is a three minute time limit to present a concern or request.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

7. Gift Presentation: Congressional Gold Medal Replica Honoring Doolittle Tokyo Raiders
Chris Costello, Medal Designer, Dallin Art Museum Board of Trustees

8. Presentation: 'Arlington Council on Aging Guide'
Mara Klein Collins, Chair, Arlington Council on Aging
Jim Munsey, Vice Chair
9. Revised Selectmen Letter to ZBA Regarding Oaktree 40B Application
Douglas W. Heim, Town Counsel
10. Vote: Creation of Working Group for Maintenance of Public Lands
Adam W. Chapdelaine, Town Manager
11. Vote: Referral of HCA Downing Square Traffic Study to Transportation Advisory Committee for Review
Adam W. Chapdelaine, Town Manager

NEW BUSINESS

EXECUTIVE SESSION

Next Meeting of BoS November 28, 2016



Town of Arlington, Massachusetts

Arlington Recycles Week

Summary:

Gordon Jamieson

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Arlington_Recycles_Week_2016.doc	Arlington Recycles Week 2016 Proclamation

OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIR
DANIEL J. DUNN, VICE CHAIR
KEVIN F. GREELEY
STEVEN M. BYRNE
JOSEPH A. CURRO, JR.



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

PROCLAMATION

WHEREAS: It is in the interest of Arlingtonians to help protect the environment and the natural resources of the planet, by reducing our consumption of these resources; and

WHEREAS: Recycling, as well as source reduction, reuse, composting, and the safe disposal of hazardous waste materials, plays an important role in protecting and preserving the world's natural resources; and

WHEREAS: Recycling programs also significantly reduce the annual expenses incurred by the Town of Arlington in the course of its disposal of the commercial and residential solid wastes generated by the Town; and

WHEREAS: The Bylaws of the Town of Arlington state that Arlingtonians shall participate in the Town's mandatory curbside recycling program; and

WHEREAS: It is in the interest of the Town of Arlington to educate its residents more fully about the Town's recycling programs, to insure that residents comply with Town bylaws as well as state and federal regulations regarding the disposal of solid waste and hazardous materials, and more broadly, to promote and encourage recycling and source reduction; and

WHEREAS: The Board of Selectmen supports the efforts and recognizes the contributions of the 'Arlington Recycles' promotional campaign as sponsored by the Arlington Recycling Committee and the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the Board of Selectmen do hereby proclaim that the period of November 14th through November 20th be declared **ARLINGTON RECYCLES WEEK** in the Town of Arlington, and we call upon all citizens, businesses and civic organizations to acquaint themselves and to recognize the contributions and benefits that recycling and related efforts play in enhancing our everyday health, safety, comfort and quality of life.

_____ **SELECTMEN**
_____ **OF THE**
_____ **TOWN**
_____ **OF**
_____ **ARLINGTON**

A true record.
ATTEST:

By: _____
Board Administrator



Town of Arlington, Massachusetts

Minutes of Meetings: October 31, 2016

ATTACHMENTS:

Type	File Name	Description
☐ Reference Material	10.31.16_draft_minutes.docx	draft minutes

TOWN OF ARLINGTON
BOARD OF SELECTMEN

Meeting Minutes
Monday, October 31, 2016
7:15 PM

Present: Mrs. Mahon, Chair, Mr. Dunn, Vice Chair, Mr. Greeley and Mr. Byrne.

Absent: Mr. Curro.

Also Present: Mr. Chapdelaine, Mr. Heim, and Mrs. Krepelka.

1. Request Vote of the Board - To Approve the Sale of \$25,660,000 of General Obligation Bonds

Stephen J. Gilligan, Treasurer & Collector of Taxes

Voted: that the sale of the \$25,660,000 General Obligation Municipal Purpose Loan of 2016 Bonds of the Town dated November 9, 2016 (the "Bonds") to FTN Financial Capital Markets at the price of \$27,700,892.54 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on November 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2017	\$1,395,000	4.00%	2028	\$960,000	4.00%
2018	1,360,000	4.00	2029	960,000	4.00
2019	1,335,000	4.00	2030	955,000	3.00
2020	1,310,000	4.00	2031	920,000	4.00
2021	1,290,000	4.00	2032	840,000	3.00
2022	1,135,000	4.00	2033	840,000	3.00
2023	1,120,000	4.00	2034	830,000	3.00
2024	1,030,000	4.00	2036	1,650,000	3.00
2025	1,025,000	4.00	2037	555,000	3.00
2026	1,020,000	4.00	2041	2,220,000	3.00
2027	960,000	4.00	2045	1,950,000	3.125

Further Voted: that the Bonds maturing on November 1, 2036, November 1, 2041 and November 1, 2045 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due November 1, 2036

<u>Year</u>	<u>Amount</u>
2035	\$825,000
2036*	825,000

Term Bond due November 1, 2041

<u>Year</u>	<u>Amount</u>
2038	\$555,000
2039	555,000
2040	555,000
2041*	555,000

*Final Maturity

Term Bond due November 1, 2045

<u>Year</u>	<u>Amount</u>
2042	\$555,000
2043	555,000
2044	555,000
2045*	285,000

*Final Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated October 19, 2016 and a final Official Statement dated October 26, 2016 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Mr. Greeley moved approval.

SO VOTED (4-0)

2. Public Cable Hearing: Approval Transfer of the Cable Television Licensee Yankee Cable Partners, LLC to Radiate Holdings, LP
John Maher, Esq., Cable Advisory Committee Chairman

Mr. Maher introduced Attorney Seth Davidson of Mintz Levin representing TPG Capital. Mr. Maher stated that under Mass. General Law TPG had to obtain approval of the cable license transfer to new ownership. The management of the license is still with RCN. The Board voted the following:

Voted: The Board of Selectmen of the Town of Arlington as cable Licensing Authority under the provisions of Chapter 166A of the General Laws and pursuant to the provisions of 207 CMR 4:00 hereby approves the transfer of the cable license from RCN to TPG Capitol LLC having determined that the TPG Capitol has proven to the satisfaction of the Board that it successfully met the criteria set forth in 207 CMR 4:04 and that the Board Chair and/or the Town Manager is authorized to file the appropriate documentation with the Commonwealth's Cable Commission. Mr. Greeley moved approval. SO VOTED (4-0)

CONSENT AGENDA

3. Minutes of Meetings: October 17, 2016
4. Request: Special (One Day) Beer & Wine License, 11/6/16 @ Robbins Memorial Town Hall for a Private Event
Joan and Jim Robbio
5. Request: Special (One Day) Beer & Wine License, 11/17/16 @ Robbins Memorial Town Hall for the 6th Annual Out on the Town Gala to Support the Arlington Youth Counseling Center Arlington Health & Human Services Charitable Corp.
6. Vote: Special Municipal Employee/Department of Public Works
Michael Rademacher, Director, Department of Public Works
7. Appointment of New Election Workers: (1) Jill Dilworth, 4 Winslow Street, Pct. 10, U;
(2) Julia Vail, 88 Park Avenue, Pct. 20, U
Mr. Byrne moved approval. SO VOTED (4-0)

APPOINTMENTS

8. Arlington Cultural Council
David B. Harris
Asia Kepka
(terms to expire 10/31/2019)
Mr. Greeley moved approval. SO VOTED (4-0)

LICENSES & PERMITS

- 9. Request: Class II
Arlington Gulf, 85 River Street, Adnan Rahim
Mr. Greeley moved approval subject to all conditions as set forth. SO VOTED (4-0)

CITIZENS OPEN FORUM - SIGN IN PRIOR TO BEGINNING OF OPEN FORUM

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Beth Locke, Executive Administrator for the Chamber of Commerce, stated that the Chamber was sponsoring a “First Lights in Whittemore Park” on December 1, 2016.

Gordon Jamieson, Co-Chair of the Recycling Committee, stated the November event this year will be a regular Recycling Center Event. There will be no larger collection day this fall. The Community Collection will be back in the spring.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

- 10. Special Event
Support Arlington Heights - D'Agostino's/Penzeys Spices Lot
Saturday, November 12th from 5pm-7pm
Claudine Swartz, Support Arlington Heights

Ms. Swartz stated that the Support Arlington Heights group are sponsoring a "Thankful in the Heights" event on Saturday, November 12th from 5 - 7 p.m. in the Penzeys Spices parking lot at 1293 Mass. Avenue. She invited all residents and children to come and enjoy hot cider, popcorn and cookies.

Mr. Bryne moved approval. SO VOTED (4-0)

- 11. Approval: Memorial for Major Howard Sessler
Alexander J. Salipante, Chairman, Public Memorial Committee

Mr. Greeley moved approval. SO VOTED (4-0)

- 12. For Discussion & Approval: Recommendations from Parking Implementation and Governance Committee

Adam W. Chapdelaine, Town Manager

Mr. Byrne stated that the Parking Implementation and Governance Committee (PIGC) met on October 25th to discuss two issues on which the Board requested their input from the previous Board meeting. The two issues were as follows:

- 1) At your last meeting you requested input from the Committee on using pay-by-space rather than pay-and-display in the Robbins Library parking lot. As you know,

the multi-space meter can be programmed to work either way. If pay-by-space is chosen, the parking spaces will have to be numbered, either using paint or with poles. It was noted that pay-by-space is more convenient for the driver, but requires maintenance and/or additional poles and installation, and will be inconsistent with the meters in the municipal parking lots.

The Committee recommends trying the pay-by-space in the Robbins Library parking lot, using paint for now, and reassess its success in the spring.

2) Some residents have requested that the Town reconsider meters on Medford Street due to its impact on the parishioners of St. Agnes Church. The Committee noted that it is not unusual to have meters in front of houses of worship, as seen in Cambridge, Somerville and Brookline.

The Committee recommends switching the metered space in front of the Church with the handicapped space on Medford Street in front of the Rectory, resulting in two handicapped spaces in front of the Church without losing a metered space for the businesses in the area.

Mr. Byrne recommended that we try this as a pilot program and see how it works.

Mr. Greeley moved approval.

SO VOTED (4-0)

13. For Approval: No U-Turn Sign at Mass Ave and Boulevard Road

Adam W. Chapdelaine, Town Manager

Mr. Feeney, Assistant Town Manager, noted that this particular traffic movement has been discussed previously at the Transportation Advisory Committee (TAC) meetings and verified by field observation. It seems an appropriate time to complete the installation now that remaining items of the Mass. Ave. reconstruction project in East Arlington have been completed.

Mr. Dunn moved approval.

SO VOTED (4-0)

14. For Discussion: Response to Belmont's Withdrawal from Minuteman School District

Daniel J. Dunn, Vice Chair

Mr. Dunn stated that Belmont Town Meeting members on October 19th voted the necessary two-thirds vote to withdraw from the Minuteman District. He stated Belmont will still be a member in the District until July 1, 2020. The remaining fifteen towns must hold a Town Meeting if they wish to block Belmont from leaving. Nine towns must vote to prohibit Belmont's departure.

Mr. Dunn stated that it would be very difficult for the District to conjure the necessary vote from nine town meetings to keep Belmont in the District. Mr. Dunn stated that although Belmont is the largest of now seven towns that plan to leave the District, and only nine towns will cover the debt for the new school, he does not expect the debt for the new school to change dramatically.

Mrs. Mahon asked Mr. Dunn if he would speak to Kevin Mahoney, Asst. Supt. of Schools for Minuteman, about addressing students with special needs.

Mr. Dunn stated he feels if Belmont withdraws from the district, they lose their ability to place students at Minuteman. Mrs. Mahon stated Arlington will not express any objections to Belmont leaving the district.

Mr. Dunn asked the Board to vote "No Action" to holding a Special Town Meeting to block Belmont from withdrawing from the District.

SO VOTED (4-0)

15. For Discussion & Approval: Board and Manager Goals FY2016 - FY2017
Adam W. Chapdelaine, Town Manager
Mrs. Mahon and Mr. Greeley asked Town Manager Chapdelaine if he would talk to Mrs. Krepelka and see if there is a way to find some funding for the Town Day Celebration.
Mr. Greeley moved approval. SO VOTED (4-0)

16. For Approval: Opening of Warrant for Annual Town Meeting 2017
The Selectmen voted to open the Warrant for the Annual Town Meeting to be held on Monday, April 24, 2017, at 8:00 p.m. The Warrant will open Tuesday, December 6, 2016 at 8:00 a.m. and will remain open until 12:00/Noon on Friday, January 27, 2017.
Mr. Greeley moved approval. SO VOTED (4-0)

NEW BUSINESS

Mr. Heim stated that he and Special Counsel John Whitten are in the process of writing a letter regarding the Oaktree Development and will have it for the meeting on November 14th.

Mr. Chapdelaine stated that he attend two Ribbon Cutting Ceremonies last Thursday:

- 1) Arlington Center for the Arts held at Town Hall as they prepare to move into a new location at the Central School, and
- 2) Tony's Barber Shop that relocated from East Arlington to across the street from Town Hall.

Mr. Greeley invited the Board and all residents to join members of the Rotary Club of Arlington on Sunday, November 6, 2016 at 1:00 p.m. when they dedicate the 2016 Flags of Heroes Field in front of Arlington High School. The flags are flying for a variety of heroes and for all the people who have made a difference in our lives.

Mrs. Mahon announced that the Arlington High School Varsity Cheerleaders will be competing Wednesday night, November 2nd, at the high school gym for the Middlesex League Title.

EXECUTIVE SESSION

Mrs. Mahon moved that the Board convene in Executive Session at 9:00 p.m. to discuss matters related to compliance with the provisions of the Open Meeting Law, Mass. General Law Chapter 30A Section 22, in order to review any vote upon the release of presently sealed executive session minutes and further that this Board will reconvene in Open Session.

Roll Call:

On Mrs. Mahon's motion:

Mr. Dunn yes
Mrs. Mahon: yes
Mr. Byrne: yes
Mr. Greeley: yes

The Board moved approval of amended Minutes of February 4th and also moved approval to release Minutes of February 10, 2016.

Roll Call:
On Mrs. Mahon's motion:

Mr. Dunn: yes
Mrs. Mahon: yes
Mr. Byrne: yes
Mr. Greeley: yes

At 9:03 p.m. Mrs. Mahon moved to adjourn the Executive Session of the Board and return to Open Session to release the Executive Session Minutes of February 4, 2016 and February 10, 2016 meetings.

Mr. Greeley moved to adjourn at 9:05 p.m.

SO VOTED (4-0)

A true record: Attest

Marie A. Krepelka
Board Administrator

Next Scheduled Meeting of BoS November 14, 2016

10/31/16

Agenda Item	Documents Used
1	Request Votes of the Board - To Approve the Sale of \$25,660,000 of General Obligation Bonds, Stephen J. Gilligan, Treasurer & Collector of Taxes
2	Public Cable Hearing: Approval Transfer of the Cable Television Licensee Yankee Cable Partners, LLC to Radiate Holdings, LP
3	Minutes of Meeting: October 17, 2016
4	Request: Special (One Day) Beer & Wine License, 11/6/16 @Robbins Memorial Town Hall for a Private Event - Joan and Jim Robbio
5	Request: Special (One Day) Beer & Wine License, 11/17/16 @ Robbins Memorial Town Hall for the 6th Annual " Out on the Town Gala to Support the Arlington Youth Counseling Center
6	Vote: Special Municipal Employee/Department of Public Works Michael Rademacher, Director, Department of Public Works
7	Appointment of New Election Workers: (1) Jill Dilworth, 4 Winslow Street, Pct. 10, U; (2) Julia Vail, 88 Park Avenue, Pct. 22, U
8	Arlington Cultural Council, David B. Harris, Asia Kepka (terms to expires 10/31/2019
9	Request: Class II - Arlington Gulf, 85 River Street Adnan Rahim
10	Special Event - Arlington Heights - D'Agostino's/Penzeys Spices Lot, Saturday, November 12th from 5 pm - 7 pm, Claudine Swartz, Support Arlington Heights
11	Approval: Memorial for Major Howard Sessler, Alexander J. Salipante, Chairman, Public Memorial Committee
12	For Discussion & Approval: Recommendations from Parking Implementation and Governance Committee, Adam W. Chapdelaine, Town Manager
13	For Approval: No U-Turn Sign at Mass. Ave. and Boulevard Road
14	For Discussion: Response to Belmont's Withdrawal from Minuteman School District Daniel J Dunn, Vice Chair
15	For Discussion & Approval: Board and Manager Goals FY2016-FY2017 Adam W. Chapdelaine, Town Manager
16	For Approval: Opening of Warrant for Annual Town Meeting 2017



Town of Arlington, Massachusetts

Appointment of New Election Workers: (1) Margaret Fichera, 39 Temple Street, D, Pct. 8; (2) Diane Porcari, 34 Hamilton Road #409, D, Pct. 2; (3) Jeanne Wall, 36 Udine Street, D, Pct. 13

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	ELECTION_WORKER_MASTER_RECORDS.docx	Master Records



Town of Arlington, Massachusetts

Hearing: Illegality on Licensed Premise - Violation of 204 C.M.R. 2.05(2)

Summary:

Arlington Liquors, Inc. d/b/a Arlington Liquors
94B Summer Street
Alexander Kushnirsky, Manager/President
Douglas W. Heim, Town Counsel

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	11.9.16_Memo_for_BOS_re_Arlington_Liquors_License_Hearing.pdf	Town Counsel Memorandum to Board
▢ Reference Material	Ref_Mat_11.14.16_Alex_Liq_notice.pdf	Meeting Notification



**Town of Arlington
Legal Department**

Douglas W. Heim
Town Counsel

50 Pleasant Street
Arlington, MA 02476
Phone: 781.316.3150
Fax: 781.316.3159
E-mail: dheim@town.arlington.ma.us
Website: www.arlingtonma.gov

To: Board of Selectmen

Cc: Adam Chapdelaine, Town Manager
Frederick Ryan, Chief of Police
Christine Bongiorno, Director of Health and Human Services

From: Douglas Heim, Town Counsel *DWH*

Date: November 9, 2016

Re: Hearing to Examine Potential Alcohol License Violations by "Arlington Liquors"

As noticed by the Office of the Board of Selectmen on November 2, 2016, the Board must examine whether or not Arlington Liquors (d/b/a Alexander Liquors), violated the terms of its alcohol license by permitting illegal activity on the premises of the licensed package store in violation of G.L. c. 138, § 64 and 204 C.M.R. 2.05(2) on or about February 26, 2016. Specifically, on the aforementioned date the Arlington Police Department ("APD"), responded to the licensed premises located at 94 Summer Street in Arlington (known as "Arlington Liquors") on a call for medical assistance. Upon arriving, APD Patrolman Officer Scott Urquhart along with Sergeant Gregory Flavin rendered aid to the license holder, Mr. Alex Kushnirsky. In the

process of rendering such aid, 60 milligrams of edible marijuana was recovered from Mr. Kushnirsky's person.

Subsequent investigation, including interviews with Arlington Liquors employees and Mr. Kushnirsky – the owner/manager of Arlington Liquors, examination of germane police incident reports, and review of Commonwealth Medical Use of Marijuana information revealed the following facts pertinent to your examination:

- On February 26, 2016, at approximately 9:02 p.m. Sgt. Flavin and Officer Urquhart were dispatched to 94 Summer Street (Arlington Liquors) to investigate a report of an unconscious person inside the premises.
- Upon arrival, APD personnel spoke with an Arlington Liquors employee, Roman Ivanov, who led the officers to an office inside Arlington Liquors where owner/manager Alex Kushnirsky was found unresponsive.
- Arlington Liquors employee Almaz Imamaliev noted to officers that Mr. Kushnirsky had arrived at Arlington Liquors earlier that evening at approximately 6:30 p.m. and went into his office.
- Officer Urquhart rendered aid to Mr. Kushnirsky, who was revived and received further assistance from the Arlington Fire Department.
- However, a check of the immediate area in which officers found Mr. Kushnirsky possessed 60 milligrams of "Kool Ballz" THC Edible Marijuana in his pocket, which was seized and kept in evidence by APD.
- Mr. Kushnirsky later admitted to smoking marijuana that evening to officers, but denied consuming any other drugs.

- At the time of the incident in question, Mr. Kushnirsky was not a registered medical use of marijuana patient in the Commonwealth of Massachusetts.

The events set forth above demonstrate a potential violation of the state liquor licensing law and the regulations of the ABCC (“ABCC”). Specifically, 204 C.M.R. 2.05(2) notes:

No licensee for the sale of alcoholic beverages shall permit any disorder, disturbance or illegality of any kind to take place in or on the licensed premises. The licensee shall be responsible therefor, whether present or not.

The ABCC has found, and courts have upheld that “disorder, disturbance or illegality of any kind” includes the possession of illicit drugs and paraphernalia on licensed premises. *See e.g., Rico’s of the Berkshires, Inc. v. Alcoholic Beverages Control Commission, et al.*, 19 Mass. App. Ct. 1026, 477 N.E. 2d 174 (1985)(possession of cocaine and drug paraphernalia on licensed premises by an employee sufficient for penalty under 204 CMR 2.05(2)).

If, after a hearing, the Board concludes that violations of the law occurred, it may decide to “modify, suspend, revoke, or cancel” the liquor license of the establishment. *See* G.L. c. 138, § 23. Upon information and belief, Arlington Liquors has not previously been found to have violated any liquor licensing laws in Arlington. Moreover, it bears noting that given the facts and circumstances of the incident, APD made no arrests and issued no citations to Mr. Kushnirsky, instead focusing on providing aid and resources for him.

Nonetheless, at the time of the incident and still today, it is unlawful to: possess one ounce or less marijuana pursuant to G.L. c. 94C §32L,¹ and it is of additional concern that the marijuana recovered, upon information and belief, is marketed as a medical marijuana product, even though Mr. Kushnirsky was not a registered medical use of marijuana patient in the

¹ It should be noted that 60 milligrams of an edible THC marijuana product is weighted differently than leaf marijuana products for the purposes of §32L, however the end result remains that the marijuana recovered is properly considered under one ounce.

Commonwealth. Furthermore, while the landscape of marijuana laws has been changing dramatically in Massachusetts and elsewhere, it has long been a maxim of Courts, the ABCC, and this Board to hold alcohol license holders to the highest standards, as alcohol vendors are “bound at [their] own peril to keep within the condition of [their] license.” *Commonwealth v. Gould* 158 Mass. 507, 33 N.E. 656 (1893). *Rico’s of the Berkshires, Inc.*, 19 Mass. App. Ct. 1026. In other words, the mere fact that Mr. Kushnirsky possessed or smoked marijuana in the abstract is not the basis for a license hearing; the fact that he did so inside the premises of his licensed package store during operating is the basis for this action.

Accordingly, the Board has significant discretion to mete out appropriate terms of license modification or suspension. Determinations of appropriate sanctions in this type of case vary widely based on the specific facts and circumstances at issue in each case, with some violations resulting in warnings alone, and others resulting in suspensions. Potential factors of import include the number of previous violations by the establishment, whether or not criminal charges were prosecuted and/or resulted in convictions, the risk posed to the public by operating licensed premises under the influence, and the severity of the disorder or illegality at issue.

I look forward to providing further details of this matter and answering your questions at the hearing.

OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIR
DANIEL J. DUNN, VICE CHAIR
KEVIN F. GREEBLEY
STEVEN M. BYRNE
JOSEPH A. CURRO, JR.



730 MASSACHUSETTS AVENUE

TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

November 2, 2016

By Hand Delivery

Alexander Kushnirsky, Manager
Arlington Liquors Store, Inc. d/b/a Alexander Liquors
94B Summer Street
Arlington, MA 02474

Licensee: Arlington Liquors Store, Inc. d/b/a Alexander Liquors
Licensed Premises: 94B Summer Street
License No.: 003000048
License Type: Package Store License
Expiration Date: December 31, 2016

Dear Mr. Kushnirsky:

In accordance with G.L. c. 138, §§ 23, and 64, the Board of Selectmen, as the liquor licensing authority for the Town of Arlington, is hereby notifying you of its intention to hold a hearing to consider a report of possession of an illicit substance by owner/manager while inside the above-referenced premises. If, following the hearing, the Board concludes that the alleged violation(s) occurred, it may impose sanctions, including but not limited to modification, suspension, revocation, or cancellation of the above-referenced license. The hearing has been scheduled for November 14, 2016 at 7:15 pm in the Selectmen's Chambers.

The alleged violations occurred on or about March 11, 2016, when the Arlington Police Department officer responded to the licensed premises to investigate a report of an unconscious person inside the premises. Once inside, APD rendered aid to an owner or employee of the package store, but also recovered synthetic edible medical marijuana product on his person. Upon information and belief, such person, believed to be the license holder of the premises, is not a registered medical marijuana patient in the Commonwealth of Massachusetts. A police report describing the incident and the recovered marijuana is enclosed for your information. It should be noted that in the interests of privacy and to protect the identity of minors, certain information has been redacted from the attached report.

The facts detailed in this police report would establish a violation of 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises.

If you choose, you may be represented by legal counsel at the November 14, 2016 hearing. You may also submit testimony and exhibits for the Board's consideration. If you have any administrative questions, you may contact Board staff at the number listed above.

Very truly yours,

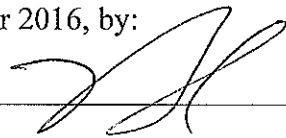

Marie A. Krepelka
Board Administrator

enc.


cc: Frederick Ryan, Chief of Police Services
Douglas Heim, Town Counsel

November 2, 2016

Delivered by hand this 2 day of November 2016, by:


3590
Arlington Police Department
ofc. Bryan White

Received this 2 day of November 2016, by:

X 
Alexander Liquors Owner or Manager



Town of Arlington, Massachusetts

Request: All Alcohol License Change of Stockholder & Change of Manager

Summary:

Y Plus Y Inc., 303A Broadway, Attorney Wei Jia, Fusion Taste

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Ref_Mat_11.14.16_Fusion_Taste.pdf	application packet

LICENSE APPLICATION REPORT

Type of License: Change of Stockholder & Change of Manager

Name of Applicant: Y Plus Y Inc., d/b/a Fusion Taste

Address: 303A Broadway

The following Departments have **no objections** to the issuance of said license:

- Police
- BoH

NOTE: The Police and BoH acknowledged the changes but do not need to respond with a report.

The following Departments have **no objections** but have made comments or conditions regarding the issuance of said license: (see attached)

- Police _____
- BoH _____

The following Departments have **objections** to the issuance of said license:
(see attached)

- Police _____
- BoH _____



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

AMENDEMENT APPLICATION FOR A CHANGE OF MANAGER

Please complete this entire application, leaving no fields blank. If field does not apply to your situation, please write N/A.

1. NAME OF LICENSEE (Business Contact)	Y Plus Y, Inc.
ABCC License Number	[REDACTED]
City/Town of Licensee	Arlington

2. APPLICATION CONTACT

The application contact is required and is the person who will be contacted with any questions regarding this application.

First Name:	Wei	Middle:		Last Name:	Jia
Title:	Attorney	Primary Phone:	6175421548		
Email:	jiawei2001@msn.com				

3. BUSINESS CONTACT

Please complete this section ONLY if there are changes to the Licensee phone number, business address (corporate headquarters), or mailing address.

Entity Name:	Y Plus Y, Inc.			
Primary Phone:	7816412388	Fax Number:		
Alternative Phone:		Email:	jasonye8899@gmail.com	

Business Address (Corporate Headquarters)

Street Number:	303A	Street Name:	Broadway		
City/Town:	Arlington	State:	MA		
Zip Code:	02474	Country:	USA		

Mailing Address

Check here if your Mailing Address is the same as your Business Address

Street Number:		Street Name:			
City/Town:		State:			
Zip Code:		Country:			

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

4. MANAGER CONTACT

The Manager Contact is required and is the individual who will have day-to-day, operational control over the liquor license.

Salutation First Name Middle Name Last Name Suffix

Social Security Number Date of Birth

Primary Phone: Email:

Mobile Phone: Place of Employment

Alternative Phone: Fax Number

Citizenship / Residency / Background Information of Proposed Manager

Are you a U.S. Citizen? Yes No

Do you have direct, indirect, or financial interest in this license? Yes No

Have you ever been convicted of a state, federal, or military crime? Yes No
 If yes, attach an affidavit that lists your convictions with an explanation for each

If yes, percentage of interest

Have you ever been Manager of Record of a license to sell alcoholic beverages? Yes No

If yes, please indicate type of Interest (check all that apply):

Officer Sole Proprietor
 Stockholder LLC Manager
 LLC Member Director
 Partner Landlord
 Contractual Revenue Sharing
 Management Agreement Other

If yes, please list the licenses for which you are the current or proposed manager:

Please indicate how many hours per week you intend to be on the licensed premises

Employment Information of Proposed Manager

Please provide your employment history for the *past 10 years*

Date(s)	Position	Employer	Address	Phone
2006-2016	Bartender/Waitress	Y Plus Y, Inc.	303A Broadway, Arlington, MA	7816412388

Prior Disciplinary Action of Proposed Manager

Have you ever been involved directly or indirectly in an alcoholic beverages license that was subject to disciplinary action? If yes, please complete the following:

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

Y PLUS Y, INC

SECRETARY'S CERTIFICATE

At a meeting of the shareholders meeting of Y Plus Y, Inc. (the "Corporation") held in Arlington, Massachusetts on July 16 , 2016, it was duly

"VOTED: That the Corporation approves the proposed transfer of certain numbers of shares of the stock of the Corporation by Yi Guang Ye to Jason Zhen Ye.

"VOTED: That the Corporation submits to and applies with Town of Arlington and ABCC for the approval of transfer of said shares, as required by M.G.L. c.138.

"VOTED: That the Corporation continues to appoint *Shu Ying Zeng, of* Massachusetts as its Manager, as approved by ABCC initially, with as full authority and control of the premises described in the license of the Corporation and of the conduct of all business therein relative to alcoholic beverage as the licensee itself could in any way have and exercise it as if it were a natural person and resident in the Commonwealth of Massachusetts and that a copy of this vote duly certified by the Clerk of the Corporation and delivered to said Manager shall constitute the written authority required by G.L. c.138, Sec.26."

THIS IS TO CERTIFY THAT ALL THE DIRECTORS OF THE CORPORATION AND MANAGER ARE CITIZENS OF THE UNITED STATES AND RESAIDENTS OF THE COMMONWEALTH OF MASSACHUSETTS

THIS CORPORATION HAS NOT BEEN DISSOLED.

A TRUE COPY
ATTEST:

Shu Ying Zeng

Shu Ying Zeng, Secretary

APPLICANT'S STATEMENT

I, Jason Ye the: sole proprietor; partner; corporate principal; LLC/LLP member
Authorized Signatory

of Y Plus Y, Inc., hereby submit this application for Change of Manager
Name of the Entity/Corporation Transaction(s) you are applying for

(hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature: Jason Ye

Date: 9.16.16

Title: President



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

AMENDMENT APPLICATION FOR A CHANGE OF BENEFICIAL INTEREST OR
TRANSFER/ISSUANCE OF STOCK

Please complete this entire application, leaving no fields blank. If field does not apply to your situation, please write N/A.

1. NAME OF LICENSEE (Business Contact)

Y Plus Y, Inc.

ABCC License Number

City/Town of Licensee

Arlington

2. APPLICATION CONTACT

The application contact is required and is the person who will be contacted with any questions regarding this application.

First Name: Wei

Middle:

Last Name: Jia

Title: Attorney

Primary Phone:

6175421548

Email: jiawei2001@msn.com

3. BUSINESS CONTACT

Please complete this section ONLY if there are changes to the Licensee phone number, business address (corporate headquarters), or mailing address.

Entity Name:

Primary Phone:

Fax Number:

Alternative Phone:

Email:

Business Address (Corporate Headquarters)

Street Number: 303A

Street Name: Broadway

City/Town: Arlington

State:

MA

Zip Code: 02474

Country:

USA

Mailing Address

Check here if your Mailing Address is the same as your Business Address

Street Number:

Street Name:

City/Town:

State:

Zip Code:

Country:

**AMENDMENT APPLICATION FOR A CHANGE OF BENEFICIAL INTEREST OR
TRANSFER/ISSUANCE OF STOCK**

4. CURRENT OWNERSHIP (Before Change in Beneficial Interest)

Please list all individuals or entities with a direct or indirect, beneficial or financial interest in this license. This pertains to the current licensee (before change in beneficial interest occurs).

Name	Title / Position		% Owned	Other Beneficial Interest
Jason Ye	Director/Officer	<input checked="" type="checkbox"/>	45%	None
Kangzhu Chen	Director/Officer	<input checked="" type="checkbox"/>	15%	None
Shu Ying Zeng	Director/Officer	<input checked="" type="checkbox"/>	20%	None
Li Guang Ye	Stockholder	<input checked="" type="checkbox"/>	20%	None
		<input checked="" type="checkbox"/>		
		<input checked="" type="checkbox"/>		
		<input checked="" type="checkbox"/>		
		<input checked="" type="checkbox"/>		
		<input checked="" type="checkbox"/>		

PROPOSED OWNERSHIP (After Change in Beneficial Interest)

Please list all individuals or entities with a direct or indirect, beneficial or financial interest in this license.

An individual or entity has a direct beneficial interest in a license when the individual or entity owns or controls any part of the license. For example, if John Smith owns Smith LLC, a licensee, John Smith has a direct beneficial interest in the license.

An individual or entity has an indirect beneficial interest if the individual or entity has 1) any ownership interest in the license through an intermediary, no matter how removed from direct ownership, 2) any form of control over part of a license no matter how attenuated, or 3) otherwise benefits in any way from the license's operation. For Example, Jane Doe owns Doe Holding Company Inc., which is a shareholder of Doe LLC, the license holder. Jane Doe has an indirect interest in the license.

- A. All individuals listed below are required to complete a Beneficial Interest Contact - Individual form.
- B. All entities listed below are required to complete a Beneficial Interest Contact - Organization form.
- C. Any individual with any ownership in this license and/or the proposed manager of record must complete a CORI Release Form.

Name	Title / Position		% Owned	Other Beneficial Interest
Jason Ye	Director/Officer	<input checked="" type="checkbox"/>	65%	None
Kangzhu Chen	Director/Officer	<input checked="" type="checkbox"/>	15%	None
Shu Ying Zeng	Director/Officer	<input checked="" type="checkbox"/>	20%	None
		<input checked="" type="checkbox"/>		
		<input checked="" type="checkbox"/>		
		<input checked="" type="checkbox"/>		
		<input checked="" type="checkbox"/>		
		<input checked="" type="checkbox"/>		
		<input checked="" type="checkbox"/>		
		<input checked="" type="checkbox"/>		

APPLICANT'S STATEMENT

I, Jason Ye the: sole proprietor; partner; corporate principal; LLC/LLP member
Authorized Signatory

of Y Plus Y, Inc., hereby submit this application for Transfer of Stock
Name of the Entity/Corporation Transaction(s) you are applying for

(hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature: Jason Ye

Date: 9.19.16

Title: President

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGE LICENSE

BENEFICIAL INTEREST CONTACT - Individual

Please complete a Beneficial Interest - Individual sheet for all individual(s) who have a direct or indirect beneficial interest, with or without ownership, in this license. All individuals with direct or indirect ownership must also submit a CORI Authorization Form.

An individual with direct beneficial interest is defined as someone who has interest directly in the proposed licensee. For example, if ABC Inc is the proposed licensee, all individuals with interest in ABC Inc are considered to have direct beneficial interest in ABC Inc (the proposed licensee).

An individual with indirect beneficial interest is defined as someone who has ownership in a parent level company of the proposed licensee. For example, if ABC Inc is the proposed licensee and is 100% owned by XYZ Inc, all individuals with interest in XYZ Inc are considered to have an indirect beneficial interest in ABC Inc (the proposed licensee).

Salutation	Mr.	First Name	Jason	Middle Name		Last Name	Ye	Suffix	
Title:	Owner	Social Security Number		Date of Birth					
Primary Phone:	3479442233	Email:	jasonye8899@gmail.com						
Mobile Phone:	3479442233	Fax Number							
Alternative Phone:									

Business Address

Street Number:	303A	Street Name:	Broadway		
City/Town:	Arlington	State:	MA		
Zip Code:	02474	Country:	USA		

Mailing Address

Check here if your Mailing Address is the same as your Business Address

Street Number:		Street Name:			
City/Town:		State:			
Zip Code:		Country:			

Types of Interest (select all that apply)

- | | | | |
|--------------------------------------|---|---|---|
| <input type="checkbox"/> Contractual | <input checked="" type="checkbox"/> Director | <input type="checkbox"/> Landlord | <input type="checkbox"/> LLC Manager |
| <input type="checkbox"/> LLC Member | <input type="checkbox"/> Management Agreement | <input checked="" type="checkbox"/> Officer | |
| <input type="checkbox"/> Partner | <input type="checkbox"/> Revenue Sharing | <input type="checkbox"/> Sole Proprietor | <input checked="" type="checkbox"/> Stockholder |
| | | | <input type="checkbox"/> Other |

Citizenship / Residency Information

Are you a U.S. Citizen? Yes No Are you a Massachusetts Resident? Yes No

Criminal History

Have you ever been convicted of a state, federal, or military crime? Yes No If yes, please provide an affidavit explaining the charges.

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGE LICENSE

BENEFICIAL INTEREST CONTACT - Individual (continued)

Ownership / Interest

Using the definition above, do you hold a direct Direct Indirect or indirect interest in the proposed licensee?

If you hold a direct beneficial interest in the proposed licensee, please list the % of interest you hold.

65%

If you hold an indirect beneficial interest in this license, please complete the Ownership / Interest Table below.

Ownership / Interest

If you hold an indirect interest in the proposed licensee, please list the organization(s) you hold a direct interest in which, in turn, hold a direct or indirect interest in the proposed licensee. These generally include parent companies, holding companies, trusts, etc. A Beneficial Interest - Organization Form will need to be completed for each entity listed below.

Name of Beneficial Interest - Organization	FEIN

Other Beneficial Interest

List any indirect or indirect beneficial or financial interest you have in any other Massachusetts Alcoholic Beverages License(s).

Name of License	Type of License	License Number	Premises Address
Plum Village, Inc.	\$12 On Premises <input type="checkbox"/>	[REDACTED]	301 Merrimack Street, Methuen, MA 01844
Lomg Stream, Inc.	\$12 On Premises <input type="checkbox"/>	[REDACTED]	19 Franklin Street, Stoneham, MA 02180
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		

Familial Beneficial Interest

Does any member of your immediate family have ownership interest in any other Massachusetts Alcoholic Beverages Licenses? Immediate family includes parents, siblings, spouse and spouse's parents. Please list below.

Relationship to You	ABCC License Number	Type of Interest (choose primary function)	Percentage of Interest
Father	[REDACTED]	Stockholder	60%

Prior Disciplinary Action

Have you ever been involved directly or indirectly in an alcoholic beverages license that was subject to disciplinary action? If yes, please complete the following:

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGE LICENSE

BENEFICIAL INTEREST CONTACT - Individual

Please complete a Beneficial Interest - Individual sheet for all individual(s) who have a direct or indirect beneficial interest, with or without ownership, in this license. All individuals with direct or indirect ownership must also submit a CORI Authorization Form.

An individual with direct beneficial interest is defined as someone who has interest directly in the proposed licensee. For example, if ABC Inc is the proposed licensee, all individuals with interest in ABC Inc are considered to have direct beneficial interest in ABC Inc (the proposed licensee).

An individual with indirect beneficial interest is defined as someone who has ownership in a parent level company of the proposed licensee. For example, if ABC Inc is the proposed licensee and is 100% owned by XYZ Inc, all individuals with interest in XYZ Inc are considered to have an indirect beneficial interest in ABC Inc (the proposed licensee).

Salutation First Name Middle Name Last Name Suffix

Title: Social Security Number Date of Birth

Primary Phone: Email:

Mobile Phone: Fax Number

Alternative Phone:

Business Address

Street Number: Street Name:

City/Town: State:

Zip Code: Country:

Mailing Address

Check here if your Mailing Address is the same as your Business Address

Street Number: Street Name:

City/Town: State:

Zip Code: Country:

Types of Interest (select all that apply)

- Contractual
- Director
- Landlord
- LLC Manager
- LLC Member
- Management Agreement
- Officer
- Partner
- Revenue Sharing
- Sole Proprietor
- Stockholder
- Other

Citizenship / Residency Information

Are you a U.S. Citizen? Yes No Are you a Massachusetts Resident? Yes No

Criminal History

Have you ever been convicted of a state, federal, or military crime? Yes No If yes, please provide an affidavit explaining the charges.

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGE LICENSE

BENEFICIAL INTEREST CONTACT - Individual (continued)

Ownership / Interest

Using the definition above, do you hold a direct or indirect interest in the proposed licensee? Direct Indirect

If you hold a direct beneficial interest in the proposed licensee, please list the % of interest you hold.

15%

If you hold an indirect beneficial interest in this license, please complete the Ownership / Interest Table below.

Ownership / Interest

If you hold an indirect interest in the proposed licensee, please list the organization(s) you hold a direct interest in which, in turn, hold a direct or indirect interest in the proposed licensee. These generally include parent companies, holding companies, trusts, etc. A Beneficial Interest - Organization Form will need to be completed for each entity listed below.

Name of Beneficial Interest - Organization	FEIN

Other Beneficial Interest

List any indirect or indirect beneficial or financial interest you have in any other Massachusetts Alcoholic Beverages License(s).

Name of License	Type of License	License Number	Premises Address

Familial Beneficial Interest

Does any member of your immediate family have ownership interest in any other Massachusetts Alcoholic Beverages Licenses? Immediate family includes parents, siblings, spouse and spouse's parents. Please list below.

Relationship to You	ABCC License Number	Type of Interest (choose primary function)	Percentage of Interest
None			

Prior Disciplinary Action

Have you ever been involved directly or indirectly in an alcoholic beverages license that was subject to disciplinary action? If yes, please complete the following:

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation
None				

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGE LICENSE

BENEFICIAL INTEREST CONTACT - Individual

Please complete a Beneficial Interest - Individual sheet for all individual(s) who have a direct or indirect beneficial interest, with or without ownership, in this license. All individuals with direct or indirect ownership must also submit a CORI Authorization Form.

An individual with direct beneficial interest is defined as someone who has interest directly in the proposed licensee. For example, if ABC Inc is the proposed licensee, all individuals with interest in ABC Inc are considered to have direct beneficial interest in ABC Inc (the proposed licensee).

An individual with indirect beneficial interest is defined as someone who has ownership in a parent level company of the proposed licensee. For example, if ABC Inc is the proposed licensee and is 100% owned by XYZ Inc, all individuals with interest in XYZ Inc are considered to have an indirect beneficial interest in ABC Inc (the proposed licensee).

Salutation First Name Middle Name Last Name Suffix

Title: Social Security Number Date of Birth

Primary Phone: Email:

Mobile Phone: Fax Number

Alternative Phone:

Business Address

Street Number: Street Name:

City/Town: State:

Zip Code: Country:

Mailing Address

Check here if your Mailing Address is the same as your Business Address

Street Number: Street Name:

City/Town: State:

Zip Code: Country:

Types of Interest (select all that apply)

- Contractual
- Director
- Landlord
- LLC Manager
- LLC Member
- Management Agreement
- Officer
- Partner
- Revenue Sharing
- Sole Proprietor
- Stockholder
- Other

Citizenship / Residency Information

Are you a U.S. Citizen? Yes No Are you a Massachusetts Resident? Yes No

Criminal History

Have you ever been convicted of a state, federal, or military crime? Yes No If yes, please provide an affidavit explaining the charges.

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGE LICENSE

BENEFICIAL INTEREST CONTACT - Individual (continued)

Ownership / Interest

Using the definition above, do you hold a direct Direct Indirect or indirect interest in the proposed licensee?

If you hold a direct beneficial interest in the proposed licensee, please list the % of interest you hold.

If you hold an indirect beneficial interest in this license, please complete the Ownership / Interest Table below.

Ownership / Interest

If you hold an indirect interest in the proposed licensee, please list the organization(s) you hold a direct interest in which, in turn, hold a direct or indirect interest in the proposed licensee. These generally include parent companies, holding companies, trusts, etc. A Beneficial Interest - Organization Form will need to be completed for each entity listed below.

Name of Beneficial Interest - Organization	FEIN

Other Beneficial Interest

List any indirect or indirect beneficial or financial interest you have in any other Massachusetts Alcoholic Beverages License(s).

Name of License	Type of License	License Number	Premises Address
Tian Yu, Inc.	\$12 On Premises <input type="checkbox"/>	██████████	200 East Boston Post Road, Marlboro, MA 01752
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		

Familial Beneficial Interest

Does any member of your immediate family have ownership interest in any other Massachusetts Alcoholic Beverages Licenses? Immediate family includes parents, siblings, spouse and spouse's parents. Please list below.

Relationship to You	ABCC License Number	Type of Interest (choose primary function)	Percentage of Interest

Prior Disciplinary Action

Have you ever been involved directly or indirectly in an alcoholic beverages license that was subject to disciplinary action? If yes, please complete the following:

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation



Town of Arlington, Massachusetts

Request: Common Victualler and Wine & Malt Licenses

Summary:

Noodle Market, 470-472 Massachusetts Avenue, Juthamas Pornsuwattanakul

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Ref_Mat_11.14.16_Noodle_Mkt.pdf	application packet and reports

LICENSE APPLICATION REPORT

Type of License: Common Victualler License and Wine & Malt License

Name of Applicant: Ms. Juthamas Pornsuwattanakul
d/b/a Noodle Market

Address: 470-472 Massachusetts Ave

The following Departments have **no objections** but have made comments or conditions regarding the issuance of said license: (see attached)

- Police
- Fire
- Health
- Building
- Planning

The following Departments have **objections** to the issuance of said license:
(see attached)

- Police
- Fire
- Health
- Building
- Planning

PLEASE NOTE: We have been working with Attorney Lim regarding all conditions that must be met prior to issuance of license.

**BOARD OF SELECTMEN
TOWN OF ARLINGTON – INSPECTION REPORT**

Report is due at the office of the Board of Selectmen by, **Wednesday November 9, 2016**
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 470-472 Mass. Ave
Applicants Name: Ms. Juthamas Pornsuwattanakul
D/B/A: Noodle Market Inc.
Telephone: 617 991-3724
Department: **Sent E-mail**

Date: 10/18/2016

MEETING DATE: November 14,2016

Departments:

RE: COMMON VICTUALLER & WINE & MALT LICENSES

Police
Fire
Board of Health
Building
Planning

Comments by each Division or Department:

Inspectional Services has no objection to the issuance of this license. Any changes made the applicant must contact Inspectional Services.

APPLICANT SIGNATURE SECTION:

I have received the above report and knowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicants risk.

Applicant's Name: _____

Date: _____



Town of Arlington
Department of Health and Human Services
Office of the Board of Health

27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

MEMO

To: Board of Selectmen
From: Natasha Waden, Health Compliance Officer
Date: November 9, 2016
RE: Board of Health Comments for Selectmen's Meeting on Monday November 14, 2016

Please accept the following as comments from the Office of the Board of Health:

**Noodle Market, Inc. – 470-472 Massachusetts Avenue
Common Viticullar License**

- The applicant has submitted an incomplete plan review application. This office has contacted the applicant multiple times, but to date they have not submitted the necessary documents for review.
- A Food Permit will not be issued until all documents have been submitted, plans have been approved, and a final inspection of the Establishment has been conducted by this Office.



Arlington Fire Department Town of Arlington

Administrative Office
411 Massachusetts Ave, Arlington, MA 02474
Phone: (781) 316-3803 Fax: (781) 316-3808
Email: jkelly@town.arlington.ma.us

John R Kelly
Deputy Fire Chief

Checklist for food sales ownership conversion.

- All exit signs and emergency lights must be tested and in good working order
- FACP must have annual test paperwork on hand and be free of trouble and alarm signals
- Sprinkler system (if present) shall have current inspection tag
- All extinguishers must be hung with signs and a current inspection tag
- "K" extinguisher mounted and tagged in the kitchen area if using fat to cook
- All exits and exit paths must be in proper working order and free from storage
- No storage of excess combustibles allowed inside building or near exit ways
- Hoods must have current inspection/cleaning sticker attached
- Kitchen extinguishing systems must have current inspection tags
- Address must be clearly visible from the street
- Electrical panels must be accessible from floor to ceiling for the entire width
- Call for inspection after all has been completed 781-316-3803

From: "Ed DeFrancisco" <EDeFrancisco@town.arlington.ma.us>
To: "MaryAnn Sullivan" <MSullivan@town.arlington.ma.us>
Date: 11/09/2016 03:12 PM
Subject: Re: REMINDER: INSPECTION REPORT FOR NOODLE MARKET/470-472 Mass. Ave

Hi MaryAnn,

I have tried several times to contact Ms. Juthamas Pornsuwattanakul in regards to this Inspection Request on the Noodle Market. The Voicemail on her phone is not set up and I have been unable to leave a message. Thus far there are no reasons to object to the Common Victualler / Wine and Malt License at this time.

Thank You
Ted

Inspector DeFrancisco
Criminal Investigations Bureau
Arlington PD
781-316-3948

-----Original Message-----

From: "MaryAnn Sullivan" <MSullivan@town.arlington.ma.us>
To: "Mike Byrne" <MByrne@town.arlington.ma.us>, "Natasha Waden" <NWaden@town.arlington.ma.us>, "Jenny Raitt" <JRaitt@town.arlington.ma.us>, "Ed DeFrancisco" <EDeFrancisco@town.arlington.ma.us>
Date: Tue, 08 Nov 2016 15:13:30 -0500
Subject: REMINDER: INSPECTION REPORT FOR NOODLE MARKET/470-472 Mass. Ave

Hello All-

A reminder the inspection report on 470-472 Mass Ave. (formerly Sweet Chili) is due tomorrow. Due to Veteran's Day on Friday the meeting needs to be posted by 2:00 PM. Thanks, Mary Ann

Mary Ann Sullivan
Town of Arlington
Selectmen's Office
(781) 316-3024
(781) 316-3029 FAX

Attachments:

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File: [ATT00003.html](#) (Shown Inline) Size: 5k Content Type: text/html

BOARD OF SELECTMEN
TOWN OF ARLINGTON - INSPECTION REPORT
Report is due at the Office of the Board of Selectmen by November 9, 2016
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 470-472 Massachusetts Avenue
Applicant's Name: Ms. Juthamas Pornsuwattanakul
D/B/A: Noodle Market
Telephone: Cell: 617-991-3724
Department: Sent Interoffice Mail & E-mail Date: October 18, 2016

Meeting Date: November 14, 2016

Re: COMMON VICTUALLER & WINE & MALT LICENSES

Police
Fire
Board of Health
Building
Planning

Comments by Jennifer Raitt, Director, Department of Planning and Community Development:

The department has no objection to the issuance of a common Victualler Licenses and a Beer and wine License to Ms. Juthamas Pornsuwattanakul d/b/a Noodle Market at 470-472 Mass Ave. We note, however, that an outside façade and sign plan was not provided with this application. Given the importance of this location in Arlington Center, we recommend that you give complete jurisdiction to the Department over all signage and exterior changes to the façade. The Applicant is reminded that all signs, including re-lettering of the existing signs require a permit issued by the Building Department.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature:

Date:

OFFICE OF THE BOARD OF SELECTMEN
730 Massachusetts Avenue
Town of Arlington
Massachusetts 02476-4908

(781) 316-3020
(781) 316-3029 fax

\$60.00 Filing Fee

APPLICATION

COMMON VICTUALLER LICENSE

FOOD VENDOR LICENSE (Take Out Only)

You must complete an application packet from the Board of Health Department located at 27 Maple St.

You must have the completed application reviewed by the Inspections Department located at 51 Grove St. before filing this application with this office

Location 470 - 471 Massachusetts Ave., Arlington, MA

Name of Applicant Juthamas Pornsuvattanakul

Corporate Name (if applicable) Noodle Market, Inc.

D/B/A Noodle Market

Date 10/13/2016

I/We hereby agree to conform in all respects to the conditions governing such License as printed in the By-Laws of the Town, and such other rules and regulations as the Selectmen may establish. With the signing of this application, the applicant acknowledges that:

(A) it is understood that the Board is not required to grant the license.

(B) no work is to commence at the premises of the proposed location which is the subject matter of this application until the license is approved by the Board of Selectmen, and, furthermore, any work done is done at the applicant's risk, and

(C) in the event of a proposed sale of a business requiring a Common Victualler License, an application for a transfer of said license will be deemed to be an application for a new license (subject to the rules and regulations herein contained), and the owner of such business shall be required to file with the Board of Selectmen a thirty day notice of his intention to sell same before such application will be acted upon by the Selectmen.

(D) that the license is subject to revocation if the holder of the license does not comply with Town By-Laws or the Rules and Regulations of the Board.

Signature Name Juthamas PS

Signature Name _____

Phone: _____ Email: jutha_ju@yahoo.com

INFORMATION RELATIVE TO APPLICATION

Breakfast _____

Yes ___ No x _____

Lunch _____

Yes x No ___ _____

Dinner _____

Yes x No ___ _____

Do you own the property? Yes ___ No x Tenant At Will _____ Lease x years

Hours of Operation:

Day daily 11:30 AM Hours 10:30 PM

Day _____ Hours _____

Day _____ Hours _____

Floor Space 1300 Sq. Ft. Seating Capacity (if any) 60

Parking Capacity (if any) _____ spaces Number of Employees 7

List Cooking Facilities (and implements)

burner, fryolators, grill, oven, sandwich unit, etc.

Will a food scale be in use for sale of items to the public? Yes ___ No x

Will catering services be provided by you? Yes ___ No x

A copy of the following items must be submitted with the application:

1. Layout Plan of Facility & Fixtures
2. Site Plan (obtained at Bldg. Dept., 51 Grove St.)
3. Outside Facade and Sign Plan (dimensions, color)
4. Menu
5. Maintenance Program

If the facilities are not yet completed, provide estimated cost of work to be done \$ _____

FOR OFFICE USE ONLY

Scheduled Hearing when Application will be presented to Board of Selectmen for approval:

Date _____ Time _____

Board Action: Approved Yes _____ No _____

Note: (A) If a corporation, state full names and addresses of principal officers.
 (B) If a co-partnership, information must be provided on each partner; if a corporation, information must be provided on corporate officer making application.

Name <u>Juthamas Pornsuwattakul</u>	Name _____
Address <u>10 Western Ave., #429</u>	Address _____
City <u>Quincy, MA</u> Zip <u>02170</u>	City _____ Zip _____
DESCRIPTION OF APPLICANT	DESCRIPTION OF APPLICANT
Born in the U.S., Yes _____ No <u>x</u>	Born in the U.S., Yes _____ No _____
Born Where <u>Thailand</u>	Born Where _____
Date of Naturalization <u>[REDACTED]</u>	Date of Naturalization _____
Male or Female <u>female</u>	Male or Female _____
Date of birth <u>[REDACTED]</u>	Date of birth _____
Height <u>5</u> ft. <u>2</u> in.	Height _____ ft. _____ in.
Weight <u>120</u>	Weight _____
Complexion <u>healthy</u>	Complexion _____
Hair <u>black</u> Eyes <u>brown</u>	Hair _____ Eyes _____
✓ Mother's Name <u>Suphat Sri</u>	Mother's Name <u>Somchai Pornsuwattanakul</u>
✓ Father's Name <u>Pornsuwattanakul</u>	Father's Name _____
✓ ^{Husband} Wife's Maiden Name <u>Prynacon</u>	Wife's Maiden Name _____
Photo <u>1 inch by 1 inch</u> <u>Kandhamit</u>	



The Establishment shall operate as:

Sole Ownership Partnership Total Number of Partners Corporation Based in MA
 (Once approved, please go to Clerk's Office for Business Certificate)

Corporate Information Required:

President Juthamas Pornsuwattanakul, 10 Weston Ave., 429, Quincy, MA
 Secretary Juthamas Pornsuwattanakul
 Treasurer Juthamas Pornsuwattanakul
Name Address Zip

APPLICANT'S RESUME

Food Business Experience of Applicant

From June 2001 to present
Employee Juthamas Pornsuwattanakul D/B/A Pho Lemongrass
Sole Owner _____ Location 239 Harvard St., Brookline
Partnership _____ Type Food Thai
Corporation _____ Number of Employees _____

From _____ to _____
Employee _____ D/B/A _____
Sole Owner _____ Location _____
Partnership _____ Type Food _____
Corporation _____ Number of Employees _____

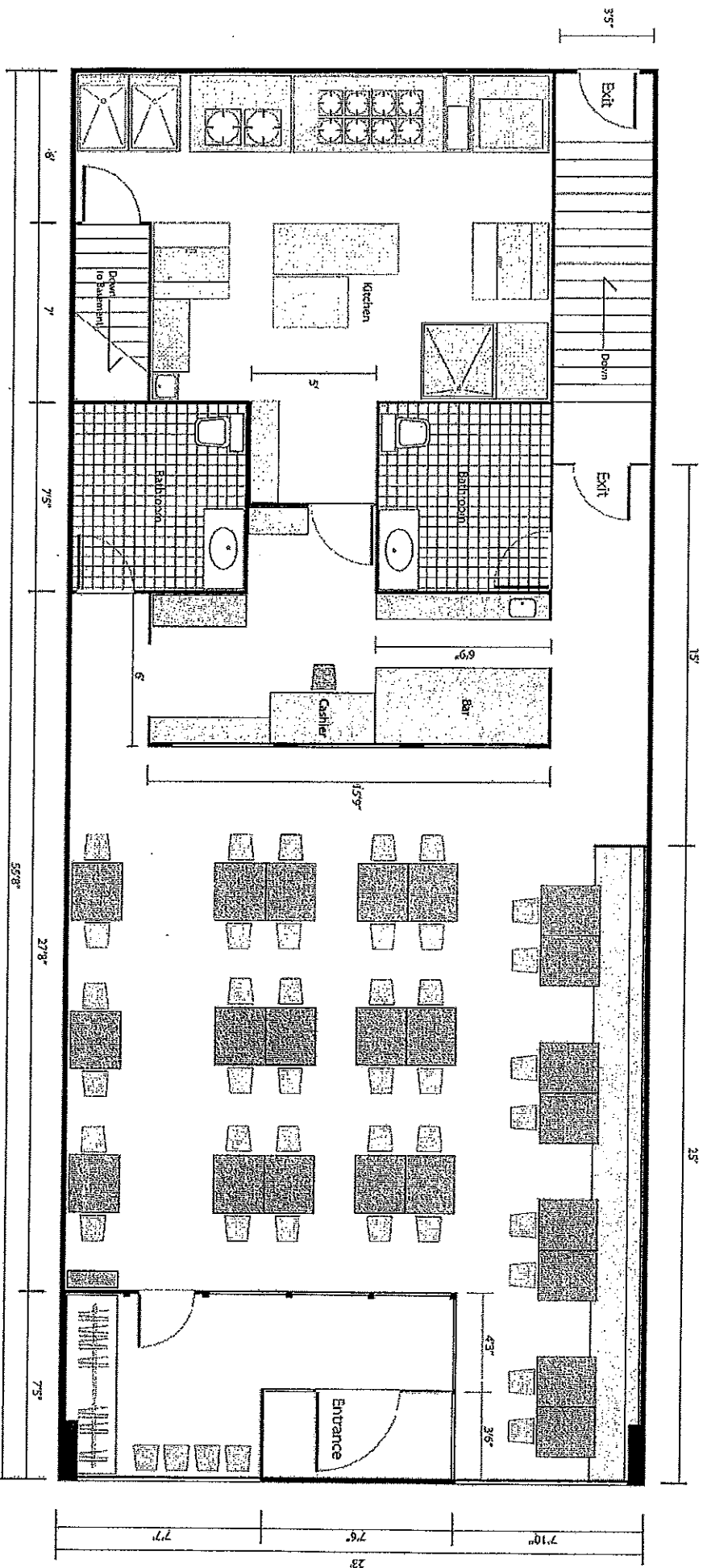
List any other information that you feel will assist in the review of this application.

REFERENCES

Bank Citizens Bank Type Account Personal Business
Address 85 Quincy Ave, Quincy Phone 617-479-8104
Account Number [REDACTED] Contact _____
Personal Reference Napat Sriwannavit
Address 85 Marjorie Rd Phone 617-852-6969
Prior Employer Braintree, MA
Address _____ Phone _____
Number of years employed _____ From _____ To _____
Contact _____ Position Held _____
Other _____

Name

Address



Noodle Market Floor Plan

Lunch Menu

Served Mon. - Sat. 11:30 am - 3:00 pm.

* Lunch Combo extra \$2.00 for: Soup, Salad and a choice of Appetizers:
Crispy Roll, Gyoza, Crab Rangoon, or Crispy Wonton.
No substitution. (Lunch combo for dining in only)

Mix & Match*

Pick one of your favorite sauce and meat to be sauteed
with chef selected vegetables and served with rice.

Meats:

Chicken, Pork or Tofu 7.95 Beef or Shrimp 8.95

Sauces:

Yellow Curry Lemongrass Thai Red Curry
Spicy Black Bean Garlic & Pepper Roasted Chili
Chili & Basil Ginger & Scallion

Noodles & Fried Rice* \$8.25

Choices of Chicken or Veggie & Tofu.

Pad Thai

Rice noodles stir-fried with egg, scallions, bean sprouts and ground peanuts.

Pad See-Ew

Flat rice noodles stir-fried with egg and Chinese broccoli in sweet soy sauce.

Jade Noodle

Jade noodles stir-fried with onions, carrots, scallions and bean sprouts.

Chaiya Noodle

Steamed to mein in Thai red curry sauce topped with bean sprouts.

House Fried Rice

Fried rice with egg, onions, green pea and scallions.

Sweet Basil Fried Rice

Spicy fried rice in chili & garlic sauce with ground chicken, basil, egg, onions and bell pepper.

Spicy Kimchi Fried Rice

Fried rice with Korean kimchi, egg, onion and scallions.

NEW! Mi Xao

Stir fried to mein noodle with mixed vegetables.

Lunch Specials \$9.25

All dishes served with rice.

Spicy Korean (Chicken, Pork, Tofu or Beef)

Sauteed Korean spicy sauce with onions, bell pepper and scallions.

Spicy Eggplant (Chicken, Pork, Tofu or Beef)

Sauteed eggplant with chili garlic sauce and basil leaves.

Golden Sea

Shrimp and squid sauteed in Sriracha sauce with onions, green bean, baby corn and bell peppers.

Original Cashew (Chicken, Tofu or Shrimp)

Stir-fried with onions, mushrooms, carrots, pineapple chunks, cashew nuts and scallions in special Thai sauce.

Crispy Chicken Basil

Crispy chicken stir-fried with onions, bell peppers, mushroom and basil leaves in chili and garlic sauce.

Panang Curry (Chicken, Pork, Tofu or Beef)

Thai panang curry sauce with onions, bell pepper and basil leaves.

Beef Oyster Sauce

Sauteed sliced beef with onions, mushrooms, tomatoes and bell pepper in oyster sauce.

Shrimp Thai Wine

Stir-fried shrimp with vegetables in a special Thai sauce.

Beef Jalapeño

Stir-fried sliced beef with jalapeño, onions, pepper and basil in special Thai sauce.

NEW! Seafood Madness

Shrimp and squid stir-fried in roasted chili sauce and mixed vegetables.

* No substitutions on lunch



House of Noodle and Rice

NOODLE MARKET

Take-out Catering Delivery

Delivery start at 5:00 pm
\$10 minimum
and charge for \$2.00

Open Hours:

Sun - Thu 11:30 am - 10:00 pm
Fri - Sat 11:30 am - 10:30 pm

Tel. 617-262-0011
Fax. 617-262-0014

Before placing your order, please inform your server
if a person in your party has a food allergy.

House Specialties

All dishes served with rice and chef's selection of vegetable medley or green salad. No substitution.

Vietnamese Beef Stew 11.95

Beef stew deeply infused with star anise, carrots and celery served with rice and steamed mixed vegetables.

Grilled Lemongrass Chicken 12.95

Grilled chicken marinated with lemongrass, garlic and soy sauce served with homemade sauce.

Crispy Chicken Basil 12.95

Crispy chicken stir-fried with onions, bell pepper, mushrooms and basil leaves in chili and garlic sauce.

Chicken and I 12.95

Stir-fried crispy chicken and broccolli in a spicy sweet and sour sauce.

Bangkok Chicken 12.95

Fried chicken tender served on steamed vegetable with choice of garlic or ginger & scallion sauce.

Spicy Eggplant (Chicken, Pork: 12.95; Beef, Shrimp: 13.95)

Sauteed eggplant with chili garlic sauce and basil leaves.

Mango Curry 12.95

Chicken in spicy curry sauce with mango and mixed vegetables.

Original Chicken Cashew 12.95

Stir-fried chicken with onions, mushrooms, carrots, pineapple chunks, cashew nuts and scallions in a special Thai sauce.

Yellow River (Chicken, Pork: 12.95; Beef, Shrimp: 13.95)

Sauteed in curry sauce with onions, potato chunks, tomatoes, scallions, carrots and peanuts.

Panang Curry (Chicken: 12.95; Beef: 13.95)

Thai panang curry sauce with onions, bell peppers and basil leaves.

Beef Jalapeño 14.95

Stir-fried sliced beef with jalapeño, onions, bell peppers in special Thai sauce.

Beef Oyster Sauce 14.95

Sauteed beef with onions, mushroom, tomatoes and bell peppers in oyster sauce.

Spicy Korean (Chicken, Pork: 12.95; Beef, Shrimp: 13.95)

Sauteed Korean spicy sauce with onions, bell pepper and scallions.

One in Paradise (Chicken: 12.95; Shrimp: 13.95)

Crispy chicken or shrimp stir-fried with red & green peppers, pineapple and onions in spicy sauce.

Bo Luc Lac 14.95

Stir-fried beef with red peppers, tomatoes and onions in garlic soy sauce served on watercress.

Sizzling Pan Fried (Chicken: 13.95; Beef: 14.95)

Stir-fried beef or chicken with bell pepper, onion, scallion in house special sauce served in hot pan.

Kho To (Pork: 12.95; Tilapia/Salmon: 14.95)

Vietnamese caramelized pork or fish cooked in casserole and sprinkled with black pepper.

Grilled and Teriyaki (Chicken: 12.95; Salmon: 14.95)

Marinated grilled chicken or salmon served with teriyaki sauce.

A La Bangkok 15.95

Combination of chicken, beef and shrimp stir-fried with assorted vegetables in special Thai sauce.

Tamarind Duck 16.95

Crispy boneless duck glazed with a tangy tamarind sauce.

Spicy Duck Curry 16.95

Sliced boneless roasted duck in Thai curry sauce with tomatoes, pineapple chunks, red and green peppers.

Crispy Basil Duck 16.95

Boneless duck fried until crispy served in chili garlic sauce with onion, bell pepper, mushroom topped with crispy basil.

From the Sea

All dishes served with rice and chef's selection of vegetable medley or green salad. No substitution.

Seafood Madness 15.95

Combination of shrimp, squid, mussel and scallop stir-fried in roasted chili sauce and mixed vegetables.

Fisherman Fury 15.95

Combination of battered fried shrimp, squid, mussel and scallop stir-fried in our house special chili sauce.

Seafood Hot Pot 15.95

Seafood cooked in a pot with vegetables and cellophane noodles in special sauce.

Golden Sea 15.95

Combination of shrimp, scallop, mussels and squid in Sriracha sauce with onions, green bean, baby corn, red and green peppers.

Seafood Thai Wine 15.95

Stir-fried mixed seafood with vegetables in a special Thai sauce.

Red Sea 15.95

Combination of shrimps, scallops, mussels, squid in Thai red curry sauce served in hot pot.

Ginger Fish 15.95

Fillet tilapia steamed with ginger and scallion.

Fish Garlic 15.95

Fried fillet tilapia until golden brown topped with garlic and pepper sauce.

Pansea Salmon 15.95

Pan-fried salmon with garlic & pepper or ginger & scallions sauce.

Jungle Fish 15.95

Fried fillet tilapia and glazed with a spicy chili sauce.

Salmon Curry 15.95

Grilled salmon with a Thai spicy red curry sauce.

Rainbow Fish 15.95

Sauteed crispy tilapia chunks with bell pepper, pineapple, tomato in homemade sweet & sour sauce.

Create Your Own Wok

Pick one of your favorite sauce and meat to be sautéed with chef selected fresh vegetables and served with steamed rice.

Meats:

Pork, Chicken or Tofu 11.50

Beef or Seafood 12.50

Combination of Chicken, Shrimp and Beef 13.95

Sauces:

Yellow Curry

Lemongrass

Spicy Black Bean

Garlic & Pepper

Chili & Basil

Thai Red Curry

Ginger & Scallion

Roasted Chili

Noodles:

Instead of rice for \$1.00: Vermicelli, lo mein, rice noodles, brown rice, udon, jade noodles.

Side Orders

Rice 1.50

Duck Sauce 1.00

Brown Rice 2.00

Peanut Sauce 1.00

Vermicelli (Noodle) 2.00

Fried Egg 2.00

Indicate the dish is spicy. Dishes can be made in vegetarian. Subject to Mass. meal tax. Subjects and prices may be changed without notice.

Noodle Soups (Pho)*

The famous Vietnamese soup with choice of rice noodles or egg noodles sprinkled with scallions, cilantro, and onions. All soups are served with bean sprouts, basil and a wedge of lime.

Pho Ga 8.50

Chicken noodle soup.

Pho Dac Biet 8.95

Beef noodle soup with a choice of /or combination of rare eye round, tendon, well-done flank or tripe.

Pho-Chay 8.95

Fresh tofu and vegetables in vegetarian broth.

Tom Cua 8.95

Seafood soup combined with shrimp, imitation crab meat, squid, and fish cake.

Pho Sate 9.50

Spicy beef noodle soup with rare eye round steak served with fresh watercress and tomato.

Tempura Udon Noodle 9.50

Vegetable tempura and udon in Japanese styled soup.

Wonton Noodle Soup 8.95

Pork and shrimp wonton with egg noodle and sliced pork in chicken broth.

Tom Yum Noodle Soup 9.95

Flat rice noodles in hot and sour soup with chicken, shrimp, lemongrass, tomatoes, chili, lime juice, scallions, cilantro and mushrooms.

Canh Chua Noodle Soup 9.95

Rice vermicelli with chicken and shrimp in a sweet and sour soup, spiced with basil, pineapple chunks, fresh tomatoes and sprinkled with fried onions in aromatic broth.

Tom Kah Noodle Soup 9.95

Rice noodles with chicken and shrimp in a coconut milk soup, flavored with galanga, lime juice, lemongrass, fresh mushrooms, tomatoes, scallions, and cilantro.

Bo Kho Noodle Soup 9.95

Beef stew deeply infused with star anise, carrots and celery served with rice noodle, sprinkled with cilantro, onion and scallions.

Fried Rice

House Fried Rice (Chicken, Pork: 9.50; Beef, Shrimp: 10.50)

Fried rice with egg, onions, broccoli, green peas and tomatoes.

Sweet Basil Fried Rice 9.50

Spicy fried rice in chili and garlic sauce with ground chicken, basil, egg, onions and bell peppers.

Country Fried Rice 10.50

Fried rice with egg served with chicken wings.

Madness Fried Rice

(Chicken, Pork: 9.95; Beef, Shrimp: 10.95)
Spicy fried rice in roasted ground chili sauce with egg, onions and mixed vegetables.

Mango Fried Rice 10.95

Fried rice with chicken, shrimp, egg, mango chunks, onions, tomatoes, bell peppers, green peas and roasted cashew nuts.

Crispy Chicken Fried Rice 10.50

Fried rice with egg, onions, broccoli, green peas and tomatoes topped with crispy chicken.

Spicy Kimchi Fried Rice

(Chicken, Pork: 9.95; Beef, Shrimp: 10.95)
Fried rice with Korean kimchi, egg, onions, scallions.

Crab Meat Fried Rice 10.95

Fried rice with real crab meat, egg, onion, scallion, green pea and tomato.

The Fenway Fried Rice

(Chicken, Pork: 10.50; Beef, Shrimp: 11.50)
Fried rice with egg, onion, tomato, bell pepper and green pea topped with fried egg.

Noodle Dishes

Pad Thai 9.50 (Shrimp 9.95)

Rice noodle stir-fried with shrimp, chicken, egg, scallions, bean sprouts and ground peanuts.

Crispy Chicken Pad Thai 10.50

Rice noodles stir-fried with egg, scallions, bean sprouts and ground peanuts topped with crispy chicken.

Crispy Noodle Pad Thai 10.95

Crispy egg noodles stir-fried with shrimp, chicken, bean sprouts, scallions, egg and ground peanuts in Pad Thai sauce.

Drunken Noodle

(Chicken, Pork: 9.95; Beef, Shrimp: 10.95)
Flat rice noodles stir-fried with egg, basil leaves, mixed vegetables in chill garlic sauce.

Mi Xiao

(Chicken, Pork: 9.95; Beef, Shrimp: 10.95)
Stir-fried lomein noodles with mixed vegetables.

Pad-See-Ew

(Chicken, Pork: 9.50; Beef, Shrimp: 10.50)
Flat rice noodles stir-fried with egg and Chinese broccoli in sweet soy sauce.

Rad-Nar

(Chicken, Pork: 9.95; Beef, Shrimp: 10.95)
Stir-fried with Chinese broccoli in an Asian gravy sauce and served over flat rice noodles.

Unseen Noodle 10.50

Chicken and shrimp stir-fried with bean thread noodles, egg and mixed vegetables.

Symphony Noodle 10.95

Crispy egg noodles topped with shrimp, chicken, broccoli, baby corn, carrots, and mushrooms in gravy sauce.

Spicy Udon Noodle

(Chicken, Pork: 9.95; Beef, Shrimp: 10.95)
Stir-fried udon noodles with mixed vegetables in chill sauce.

Curry Noodle

(Chicken, Pork: 8.95; Beef, Shrimp: 9.95)
Steamed vermicelli and mixed vegetables in a curry sauce.

Spicy Hofun

(Chicken/Pork: 9.50; Beef or Shrimp: 10.50)
Stir-fried flat rice noodle with egg, bean sprouts, scallion with homemade spicy sauce on bed of lettuce.

Jade Noodle

(Chicken/Pork: 9.95; Beef or Shrimp: 10.95)
Stir-fried vegetable jade noodle with mix vegetables in brown sauce.

Chaiya Noodle

(Chicken/Pork: 8.95; Beef or Shrimp: 9.95)
Steamed lomein noodle in Thai red curry sauce topped with bean sprouts and scallions.

Beverage

Soda 1.50

Coke, Diet Coke, Sprite, Ginger Ale

Hot Tea 1.50

Jasmine Tea, Green Tea, Decaf Green Tea

Unsweetened Iced Tea 1.95

Cranberry Juice, Soybean Milk 2.00

Fresh Limeade, Sparkling Limeade, Jasmine Limeade 2.95

Vietnamese Sweet Coffee (Hot or Cold) 3.50

Coconut Juice, Thai Iced Tea 2.95

Green Tea Smoothie 3.95

Fruit Shake 3.95

Durian, Mango, Avocado, Pineapple, Jackfruit, Coconut, Lychee, Strawberry, Red Bean (Add tapioca pearl for \$1.00)

Appetizers

Crispy Roll 5.25

A mixture of vegetables wrapped in the rice paper, fried and served with a homemade sauce (nuoc cham).

Fresh Roll 5.25

Shredded lettuce and rice vermicelli combined with sliced pork and shrimp or tofu wrapped in softened rice paper and served with peanut sauce.

Edamame 4.95

Steamed Japanese soy bean with light sea salt.

Gyoza 5.75

Steamed dumpling filled with ground chicken, pork and cabbage served with homemade soy sauce.

Crispy Wonton 5.75

Pork and shrimp stuffing in a wonton skin, fried golden brown and served with sweet chili sauce.

Curry Puff 6.25

Homemade pastry filled with potatoes chunks, onions, mushroom, carrots, corn, green peas and curry powder served with cucumber sauce.

Shrimp Toast 6.25

Shrimp paste spread on French bread, fried and served with homemade sauce.

Shumai 6.25

Steamed shumai filled with shrimp, served with homemade soy sauce.

Country Wing 6.25

Chicken wings deep-fried served with sweet chili sauce.

Crab Rangoon 6.25

Crispy wonton skin filled with cream cheese, crabmeat, carrot and onion, served with sweet chili sauce.

Veggie Tempura 7.25

Vegetable tempura served with sweet sauce.

Chicken Satay 7.25

Grilled marinated chicken on skewers, served with Thai peanut sauce and refreshing cucumber salad.

Todmon 7.25

Thai curry shrimp cakes fried and served with peanut cucumber salad.

Crispy Calamari 8.25

Deep-fried calamari served with spicy chili sauce.

Shrimp on Sugarcane 8.25

Lightly seasoned ground shrimp molded around a piece of peeled fresh sugarcane, deep-fried, sprinkled with peanuts and served with homemade sauce.

Mussels & Herbs 8.95

Green mussels steamed in a hot pot with fresh lemongrass, sweet basil and lime leaves, served with spicy lime juice sauce.

Lobster Ravioli 8.95

Steamed lobster ravioli served over Thai curry sauce.

Half Moon Crepe (Banh Xeo) 9.25

A Vietnamese traditional mixture of shrimp, pork and bean sprouts folded with rice powder pancake and served with homemade sauce.

Vermicelli (Bun)

Mixture of lettuce, fresh mint, peanuts, carrots, bean sprouts, and scallions in a bowl of vermicelli with the choice of meat and served with homemade sauce (nuoc cham).

Add one crispy roll for \$1.00 extra.

Fresh Roll, Crispy Roll or Tofu 8.50

Grilled Pork or Chicken 8.75

Grilled Beef or Shrimp 8.95

Soups

Wonton Soup 4.50

Pork and shrimp dumplings, lettuce, onions and scallions in a chicken broth.

Tom Yum Soup (Chicken or Shrimp) 4.50

Thai style hot and sour soup spiced with lemongrass, lime juice, chili, mushrooms, tomatoes, scallions and cilantro.

Tom Kah Soup (Chicken or Shrimp) 4.50

A coconut milk soup seasoned with galanga, lime juice, lemongrass, fresh mushrooms, tomatoes, scallions and cilantro.

Canh Chua Soup (Chicken or Shrimp) 4.50

Vietnamese style sweet and sour soup spiced with pineapple chunks, tomatoes, basil, bean sprouts, sprinkled with fried onions in an aromatic broth.

Tofu & Veggie Soup 4.50

Bean thread noodles with vegetables and fresh tofu in a clear broth, garnished with chopped scallions.

Salads

House Salad 5.25

Mixed greens with tomatoes, cucumber and carrots served with special homemade dressing.

Saigon Salad 8.25

Poached shrimp and chicken with shredded carrot, cabbage, fresh mint and roasted peanuts in homemade dressing.

Chicken Satay Salad 8.25

Grilled chicken on top of mixed greens served with Thai satay dressing.

Green Papaya Salad 8.25

Papaya strips, shrimp, tomatoes, string beans tossed in chili lime juice and sprinkled with crushed peanuts.

Grilled Pork or Chicken Salad 8.25

Mixed green, tomato, cucumber, carrot and red onions with homemade dressing.

Spicy Beef Salad 9.25

Grilled sliced beef mixed with spicy hot and sour homemade sauce on bed of tossed greens.

Yum Seafood Salad 10.25

Fresh boiled shrimps, scallops, squid and mussels on bed of tossed green salad with chili lime juice dressing.

Grilled on Rice (Com Thit Nuong)

A choice of grilled meat, served with steamed rice, fresh mint, lettuce, cucumber, carrots, tomatoes, scallions and our homemade sauce (nuoc cham).

Grilled Pork or Chicken 8.75

Grilled Beef or Shrimp 8.95

Rice Paper Work (Banh Hoi)

Make your own fresh roll with a choice of meat, served with steamed vermicelli, fresh mint, lettuce, watercress, cucumbers, carrots and crushed peanuts, served with our homemade sauce.

Grilled Pork or Chicken 10.95

Grilled Beef or Shrimp 11.95

Shrimp on Sugarcane 12.95

* Consuming raw or undercooked meats, poultry, seafood may increase your risk of food-borne illness.

An 18% service charge will be added for parties of 5 or more.

Indicate the dish is spicy. Dishes can be made in vegetarian. Subject to Mass. meal tax. Subjects and prices may be changed without notice.

APPLICANT'S STATEMENT

I, Juthamas Pornsuwattananul the: sole proprietor; partner; corporate principal; LLC/LLP member
Authorized Signatory

of Noodle Market, Inc., hereby submit this application for restaurant pouring wine and malt license
Name of the Entity/Corporation Transaction(s) you are applying for

(hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature: *Juthamas PS*

Date: 10-14-16

Title: President



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

APPLICATION FOR A RETAIL ALCOHOLIC BEVERAGES LICENSE

Please complete this entire application, leaving no fields blank. If field does not apply to your situation, please write N/A.

1. NAME OF PROPOSED LICENSEE (Business Contact)

Noodle Market, Inc.

This is the corporation or LLC which will hold the license, not the individual submitting this application. If you are applying for this license as a sole proprietor, not an LLC, corporation or other legal entity, you may enter your personal name here.

2. RETAIL APPLICATION INFORMATION

There are two ways to obtain an alcoholic beverages license in the Commonwealth of Massachusetts, either by obtaining an existing license through a transfer or by applying for a new license.

Are you applying for a new license New Transfer or the transfer of an existing license?

If transferring, please indicate the current ABCC license number you are seeking to obtain:

If applying for a new license, are you applying for this license pursuant to special legislation?

If transferring, by what method is the license being transferred?

Yes No Chapter Acts of

3. LICENSE INFORMATION / QUOTA CHECK

On/Off-Premises

City/Town

TYPE

CATEGORY

CLASS

4. APPLICATION CONTACT

The application contact is required and is the person who will be contacted with any questions regarding this application.

First Name: Middle: Last Name:

Title: Primary Phone:

Email:

5. OWNERSHIP

Please list all individuals or entities with a direct or indirect, beneficial or financial interest in this license.

An individual or entity has a direct beneficial interest in a license when the individual or entity owns or controls any part of the license. For example, if John Smith owns Smith LLC, a licensee, John Smith has a direct beneficial interest in the license.

An individual or entity has an indirect beneficial interest if the individual or entity has 1) any ownership interest in the license through an intermediary, no matter how removed from direct ownership, 2) any form of control over part of a license no matter how attenuated, or 3) otherwise benefits in any way from the license's operation. For Example, Jane Doe owns Doe Holding Company Inc., which is a shareholder of Doe LLC, the license holder. Jane Doe has an indirect interest in the license.

- A. All individuals listed below are required to complete a Beneficial Interest Contact - Individual form.
- B. All entities listed below are required to complete a Beneficial Interest Contact - Organization form.
- C. Any individual with any ownership in this license and/or the proposed manager of record must complete a CORI Release Form.

Name	Title / Position	% Owned	Other Beneficial Interest
Juthamas Portsuwattanakul	President/Treasurer/Secretary/Director	100	

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

5. OWNERSHIP (continued)

Name	Title / Position	% Owned	Other Beneficial Interest

6. PREMISES INFORMATION

Please enter the address where the alcoholic beverages are sold.

Premises Address

Street Number: Street Name: Unit:

City/Town: State: Zip Code:

Country:

Description of Premises

Please provide a complete description of the premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage.

Floor Number	Square Footage	Number of Rooms
1	1300	2

Patio/Deck/Outdoor Area Total Square Footage

Indoor Area Total Square Footage

Number of Entrances

Number of Exits

Proposed Seating Capacity

Proposed Occupancy

Occupancy of Premises

Please complete all fields in this section. Documentation showing proof of legal occupancy of the premises is required.

Please indicate by what right the applicant has to occupy the premises Landlord Name

Lease Beginning Term Landlord Phone

Lease Ending Term Landlord Address

Rent per Month

Rent per Year

If leasing or renting the premises, a signed copy of the lease is required.

If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.

Please indicate if the terms of the lease include payments based on the sale of alcohol: Yes No

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

7. BUSINESS CONTACT

The Business Contact is the proposed licensee. If you are applying as a Sole Proprietor (the license will be held by an individual, not a business), you should use your own name as the entity name.

* Please see last page of application for required documents based on Legal Structure *

Entity Name: FEIN:

DBA: Fax Number:

Primary Phone: Email:

Alternative Phone: Legal Structure of Entity

Business Address (Corporate Headquarters) Check here if your Business Address is the same as your Premises Address

Street Number: Street Name:

City/Town: State:

Zip Code: Country:

Mailing Address Check here if your Mailing Address is the same as your Premises Address

Street Number: Street Name:

City/Town: State:

Zip Code: Country:

Is the Entity a Massachusetts Corporation? Yes No

If no, is the Entity registered to do business in Massachusetts? Yes No

If no, state of incorporation

Other Beneficial Interest

Does the proposed licensee have a beneficial interest in any other Massachusetts Alcoholic Beverages Licenses? Yes No *If yes, please complete the following table.*

Name of License	Type of License	License Number	Premises Address

Prior Disciplinary Action:

Has any alcoholic beverages license owned by the proposed licensee ever been disciplined for an alcohol related violation?

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

7. MANAGER CONTACT

The Manager Contact is required and is the individual who will have day-to-day, operational control over the liquor license.

Salutation First Name Middle Name Last Name Suffix

Social Security Number Date of Birth

Primary Phone: Email:

Mobile Phone: Place of Employment

Alternative Phone: Fax Number

Citizenship / Residency / Background Information of Proposed Manager

Are you a U.S. Citizen? Yes No

Do you have direct, indirect, or financial interest in this license? Yes No

Have you ever been convicted of a state, federal, or military crime? Yes No
 If yes, attach an affidavit that lists your convictions with an explanation for each

If yes, percentage of interest

Have you ever been Manager of Record of a license to sell alcoholic beverages? Yes No

If yes, please list the licenses for which you are the current or proposed manager:

If yes, please indicate type of Interest (check all that apply):

- Officer Sole Proprietor
- Stockholder LLC Manager
- LLC Member Director
- Partner Landlord
- Contractual Revenue Sharing
- Management Agreement Other

Please indicate how many hours per week you intend to be on the licensed premises

Employment Information of Proposed Manager

Please provide your employment history for the *past 10 years*

Date(s)	Position	Employer	Address	Phone
06/01/2001	Server/bartender	Pho Lemongrass Restaurant	239 Harvard Street, Brookline	6177318600

Prior Disciplinary Action of Proposed Manager

Have you ever been involved directly or indirectly in an alcoholic beverages license that was subject to disciplinary action? If yes, please complete the following:

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

9. FINANCIAL INFORMATION

Please provide information about associated costs of this license.

Associated Costs

A. Purchase Price for Building/Land	<input type="text"/>
B. Purchase Price for any Business Assets	200000
C. Costs of Renovations/Construction	<input type="text"/>
D. Purchase Price of Inventory	<input type="text"/>
E. Initial Start-Up Costs	<input type="text"/>
F. Other (Please specify)	<input type="text"/>
G. Total Cost (Add lines A-F)	200000

Please note, the total amount of Cash Investment (top right table) plus the total amount of Financing (bottom right table) must be equal to or greater than the Total Cost (line G above).

Please provide information about the sources of cash and/or financing for this transaction

Source of Cash Investment

Name of Contributor	Amount of Contribution
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
Total:	<input type="text"/>

Source of Financing

Name of Lender	Amount	Does the lender hold an interest in any MA alcoholic beverages licenses?	If yes, please provide ABCC license number of lender
Napat Sriwannavit	200000	no	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total:			200000

10. PLEDGE INFORMATION

Are you seeking approval for a pledge? Yes No

Please indicate what you are seeking to pledge (check all that apply)

- License Stock / Beneficial Interest Inventory

To whom is the pledge is being made:

Does the lender have a beneficial interest in this license? Yes No

Does the lease require a pledge of this license? Yes No

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGE LICENSE

BENEFICIAL INTEREST CONTACT - Individual

Please complete a Beneficial Interest - Individual sheet for all individual(s) who have a direct or indirect beneficial interest, with or without ownership, in this license. All individuals with direct or indirect ownership must also submit a CORI Authorization Form.

An individual with direct beneficial interest is defined as someone who has interest directly in the proposed licensee. For example, if ABC Inc is the proposed licensee, all individuals with interest in ABC Inc are considered to have direct beneficial interest in ABC Inc (the proposed licensee).

An individual with indirect beneficial interest is defined as someone who has ownership in a parent level company of the proposed licensee. For example, if ABC Inc is the proposed licensee and is 100% owned by XYZ Inc, all individuals with interest in XYZ Inc are considered to have an indirect beneficial interest in ABC Inc (the proposed licensee).

Salutation First Name Middle Name Last Name Suffix

Title: Social Security Number Date of Birth

Primary Phone: Email:

Mobile Phone: Fax Number

Alternative Phone:

Business Address

Street Number: Street Name:

City/Town: State:

Zip Code: Country:

Mailing Address

Check here if your Mailing Address is the same as your Business Address

Street Number: Street Name:

City/Town: State:

Zip Code: Country:

Types of Interest (select all that apply)

- Contractual
- Director
- Landlord
- LLC Manager
- LLC Member
- Management Agreement
- Officer
- Partner
- Revenue Sharing
- Sole Proprietor
- Stockholder
- Other

Citizenship / Residency Information

Are you a U.S. Citizen? Yes No Are you a Massachusetts Resident? Yes No

Criminal History

Have you ever been convicted of a state, federal, or military crime? Yes No If yes, please provide an affidavit explaining the charges.

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGE LICENSE

BENEFICIAL INTEREST CONTACT - Individual (continued)

Ownership / Interest

Using the definition above, do you hold a direct Direct Indirect or indirect interest in the proposed licensee?

If you hold a direct beneficial interest in the proposed licensee, please list the % of interest you hold.

If you hold an indirect beneficial interest in this license, please complete the Ownership / Interest Table below.

Ownership / Interest

If you hold an indirect interest in the proposed licensee, please list the organization(s) you hold a direct interest in which, in turn, hold a direct or indirect interest in the proposed licensee. These generally include parent companies, holding companies, trusts, etc. A Beneficial Interest - Organization Form will need to be completed for each entity listed below.

Name of Beneficial Interest - Organization	FEIN

Other Beneficial Interest

List any indirect or indirect beneficial or financial interest you have in any other Massachusetts Alcoholic Beverages License(s).

Name of License	Type of License	License Number	Premises Address

Familial Beneficial Interest

Does any member of your immediate family have ownership interest in any other Massachusetts Alcoholic Beverages Licenses? Immediate family includes parents, siblings, spouse and spouse's parents. Please list below.

Relationship to You	ABCC License Number	Type of Interest (choose primary function)	Percentage of Interest

Prior Disciplinary Action

Have you ever been involved directly or indirectly in an alcoholic beverages license that was subject to disciplinary action? If yes, please complete the following:

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

NOODLE MARKET, INC.

CORPORATE VOTE

I, Juthamas Pornsuwattanakul, Clerk of NOODLE MARKET, Inc., a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, with a usual place of business located at 470-472 Massachusetts Ave., Arlington, MA, hereby certify that the following is a true record of a special joint meeting of the Shareholders and Directors of the Corporation held at the offices of the Corporation at 4:00 PM on September 19, 2016. All shareholders and directors were present and voting throughout.

Upon motion duly made and seconded it was

VOTED:

That NOODLE MARKET, Inc. enter into a purchase and sale agreement with Sweet Chili Corporation to purchase the Sweet Chili Restaurant located at 470-472 Massachusetts Ave., Arlington, MA.

VOTED:

That NOODLE MARKET, Inc. apply to the Licensing Commission of the Town of Arlington for the transfer of the wine and malt liquor license from Sweet Chili Corporation to be conducted at 470-472 Massachusetts Ave., Arlington, Massachusetts

VOTED:

That Juthamas Pornsuwattanakul be appointed as the liquor license manager of NOODLE MARKET, Inc.

VOTED:

That the law office of Lim & Associates, PC be authorized to represent NOODLE MARKET, Inc. in its application for the transfer of the liquor license with the Town of Arlington.

I hereby certify that Juthamas Pornsuwattanakul is the duly elected Clerk of the Corporation and the within votes have not been rescinded or amended.

Date: September 19, 2016

Noodle Market, Inc.



Juthamas Pornsuwattanakul, Clerk



Town of Arlington, Massachusetts

CITIZENS OPEN FORUM



Town of Arlington, Massachusetts

Gift Presentation: Congressional Gold Medal Replica Honoring Doolittle Tokyo Raiders

Summary:

Chris Costello, Medal Designer, Dallin Art Museum Board of Trustees



Town of Arlington, Massachusetts

Presentation: 'Arlington Council on Aging Guide'

Summary:

Mara Klein Collins, Chair, Arlington Council on Aging
Jim Munsey, Vice Chair

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	COA_Presentation_to_BOS_11.14.16__FINAL.pdf	Reference

State of The Arlington Council On Aging

For Town Officials and Residents

Presented by COA Board

Mara Klein Collins, Chair

Jim Munsey, Vice Chair

Mission Statement

The Council's primary responsibilities are to design, promote and implement services to address the needs of the community's elder population and to coordinate existing services in the community.

Arlington Council on Aging Board

- Mara Klein Collins, Chair
- James Munsey, Vice Chair
- Marjorie Vanderhill , Secretary
- Rick Fentin
- Ann Fitzgerald, RN, BSN
- Jill Greenlee, PhD
- Noreen Murphy, Esq.
- Rev. Richard Phelps
- Paul Raia, PhD

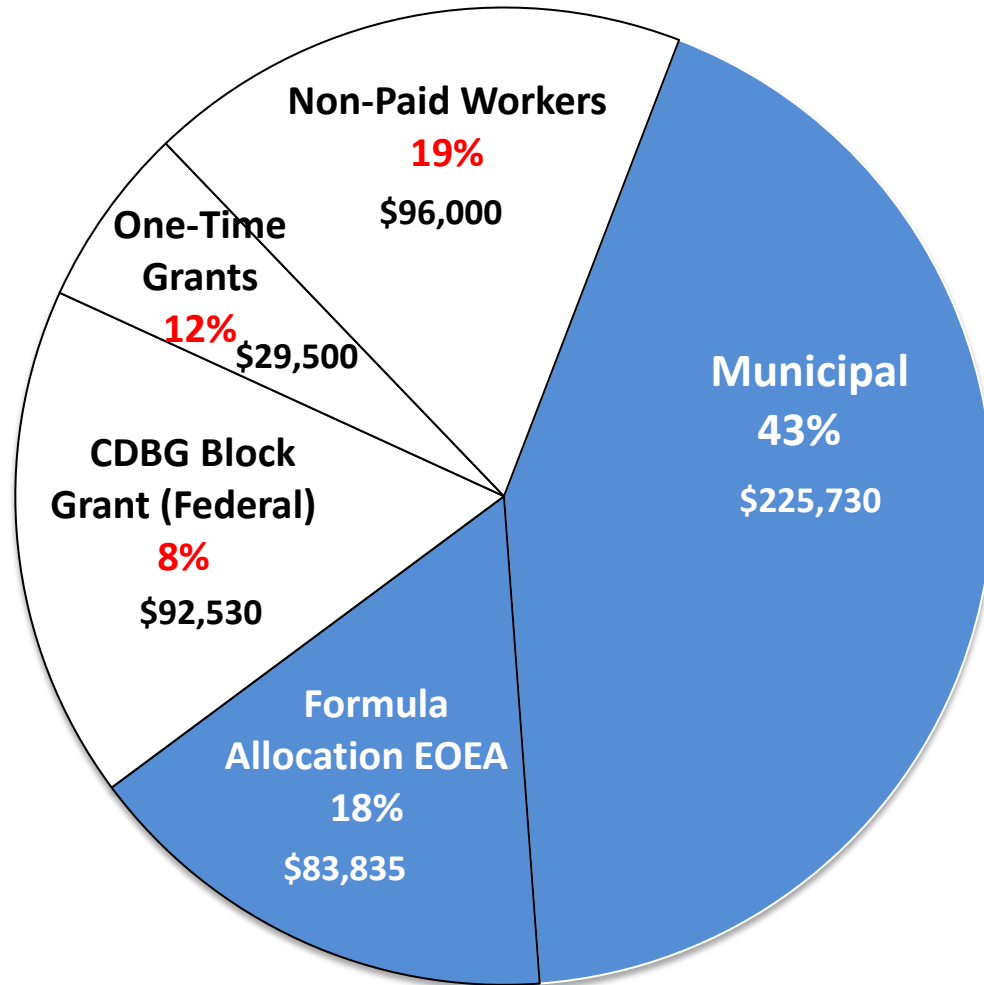
Associate Members (non-voting, prior board members):

- Karen Nichols, RN, BSN
- Robert Tosi, Jr.

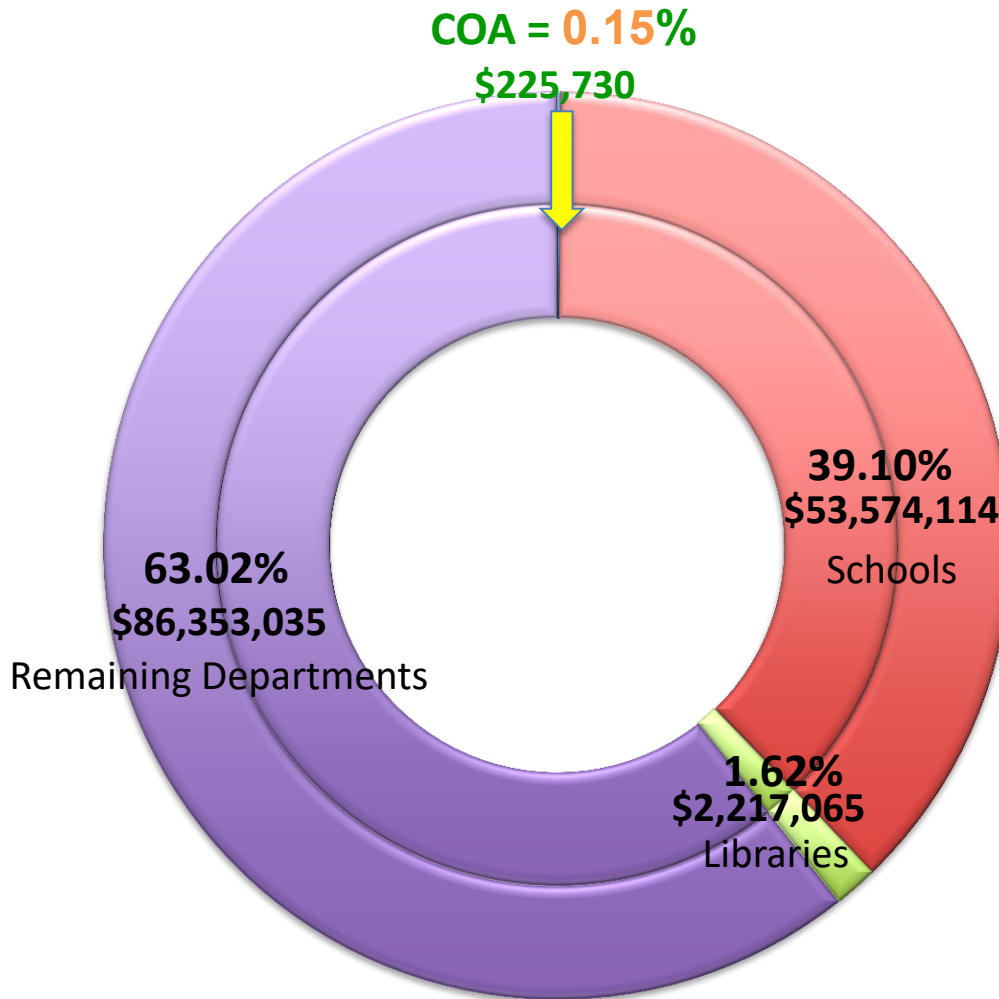
Whom Do We Serve?

- According to the Massachusetts Council on Aging (MCOA) since the 2010 census the senior population has increased by over 20%. Arlington's senior population is now estimated at over 11,000.
- MCOA estimates the overall Massachusetts population will increase 12% over the next 20 years. Seniors will grow 65% to over 18,000 in Arlington.
- Is Arlington prepared to serve them?

Variable Funding Resources



FY17 Budget Comparisons



Seniors comprise almost **26%** of the **total** Arlington population yet the COA receives **0.15%** of the total town budget.

Transportation

Connecting Seniors Around Town

- **How We Assist**
 - Van rides
 - To and from the Senior Center
 - Medical appointments in and out of Arlington
 - Shopping
 - Wheel chair lift accessibility
- **Unmet Needs Due to Level Funding**
 - Friday van service has been eliminated
 - Unable to fulfill all ride requests

COA Supports Town Services

- Partner with Emergency Services to reduce 911 calls.
- Partner with Public Health and APD re: hoarding.
- Partner with the Assessors Office to identify potentially financially struggling seniors.

Needs of Arlington Seniors

- **Renovate the Senior Center**

Funding has been added to the Capital Plan to:

- Make the space handicapped accessible by renovating walkways, entrances, and bathrooms.
- Design a senior-friendly building with adequate lighting for vision impaired, and better acoustics for hearing impaired seniors.
- Provide useable program space to improve the experience.

2017 COA Priorities

The COA Board Requests the Selectmen to:

1. Assign a Selectman as a Liaison to the COA Board to continue to plan together for the increase in population and needs.
2. Support the Senior Center Renovation project.
3. Increase staffing to meet the growing population of Arlington seniors.



Town of Arlington, Massachusetts

Revised Selectmen Letter to ZBA Regarding Oaktree 40B Application

Summary:

Douglas W. Heim, Town Counsel

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Revised_BOS_letter_to_ZBA_re_Thorndike_40B_application_(00018863)_2.docx	Revised Letter to ZBA

OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIR
DANIEL J. DUNN, VICE CHAIR
KEVIN F. GREELEY
STEVEN M. BYRNE
JOSEPH A. CURRO, JR.



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

November 14, 2016

RE: Application for a comprehensive permit for "Thorndike Place"

Dear Members of the Zoning Board of Appeals:

On behalf of the Arlington Board of Selectmen, please accept the following initial comments in regard to the above noted comprehensive permit application. [At your request](#), these initial comments are submitted to the Zoning Board of Appeals ("ZBA") pursuant to G.L. c.40B, s.20. We reserve our rights to submit additional comments in this matter as warranted, and pause to note that we very much respect the authority of the ZBA and do not presume to direct you, but nonetheless hope you will receive this correspondence as an expression of our earnest opinion as a body and support of the difficult work ahead of you.

As an initial matter, we thank the ZBA for its careful consideration and assertion of the Town's "safe harbor" status based on 1.5% of applicable land area in Arlington being dedicated to affordable housing. While it is our understanding that the applicant, Arlington Land Realty, LLC (also commonly referred to as "Oaktree" or the "Mugar Development") has already appealed the ZBA's articulation of safe harbor status, and such status may be contested at various levels, we agree that any reasonable reading of the law supports our safe harbor status. More importantly, we believe that the safe harbor status you articulated accurately reflects the reality of Arlington – a dense residential community which has consistently worked to support and grow its affordable housing stock in responsible manner in the context of very limited available developable land.

Furthermore, as the ZBA is aware, on August 18, 2015, this Board of Selectmen wrote a detailed comment letter to MassHousing urging MassHousing not to issue project eligibility approval for this application. We have attached our letter to MassHousing

hereto. Although MassHousing opted to grant project eligibility to the applicant, despite the Board of Selectmen's substantial concerns and objections, we hope the Board of Appeals will scrutinize the application strenuously based upon the same concerns we previously articulated. Our prior comments remain accurate today and speak directly to the Zoning Board of Appeals' jurisdiction pursuant to both statute and regulations. In our view, The comprehensive permit application submitted by Arlington Land Realty, LLC is a much like its submissions for project eligibility to MassHousing – grossly incomplete.

As we stated to MassHousing last year, attempting to place 219 dwelling units on less than 6 acres of upland—a density of greater than 37 units per acre—is inconsistent with our understanding of decades of plans and planning in Arlington and troubling given the well chronicled constraints of the locus.

One of the most notable constraints of the locus (one on which we have heard considerable public comment) is the extensive on-site wetland resources the site presents, and its important function for flood control. We previously strenuously urged the applicant to provide more detailed plans and information on its means of addressing this specific constraint and appurtenant concerns. We were told those details would be forthcoming. Yet instead, the applicant now seeks waivers of Arlington's Wetland Bylaw and Regulations in their entirety. In light of these facts, we urge the ZBA of Appeals to deny the applicant's overbroad and unsubstantiated request to waive the requirements of Arlington Wetlands Bylaw and Regulations, along with other blanket waivers the applicant desires without reasonable bases.

Additionally, our public comment process garnered significant concerns about traffic, ecological impacts, and a host of other matters. To assist the ZBA evaluate the technical aspects of the comprehensive permit application, including an analysis of the application's impacts on wetland resources noted above, but also including traffic impacts and consistency with the Town's long standing land use, open space and affordable housing plans, we also urge the ZBA to avail itself of its broad rights and authority pursuant to G.L. c.44, s.53G.

As the ZBA knows and your Comprehensive Permit Regulations permit, the ZBA is free to require the applicant to pay for the Board's hiring of experts in a variety of technical areas. The ZBA's authority pursuant to s.53G is extremely broad; limited only to a prohibition of using s.53G funds for legal counsel; all other consulting services are available to assist the Board. It is our view that availing yourselves of these resources to the maximum extent possible is essential to developing a record to not only support whatever substantive conclusions you find about the application as a body in reaching a decision, but to defend such decision from future litigation and appeals should the need arise. We trust that your decision will be thorough and detailed, consistent with the quality service the ZBA provides to Arlington. However, given the criticism and challenges you may well face, we hope you will actively seek whatever support necessary from the Town to leave no stone unturned and render your determinations as precisely and powerfully as possible.

In sum, mindful of our role as the Board of Selectmen, we respectfully register our ongoing concern that what little we have seen from the applicants does nothing to assuage common sense doubts that a project of this magnitude on such a problematic site is feasible or appropriate for Arlington. The Board remains committed to assisting the Board of Appeals enforce the rules and regulations of the Town and ensure the protection of Arlington residents' health and safety.

We look forward to being of assistance.

Very truly yours,

Diane M. Mahon, Chair
BOARD OF SELECTMEN



Town of Arlington, Massachusetts

Vote: Creation of Working Group for Maintenance of Public Lands

Summary:

Adam W. Chapdelaine, Town Manager

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	Memo_to_BoS_Maintenance_Working_Group_11-9-2016_(2).pdf	Reference



**Town of Arlington
Office of the Town Manager**

Adam W. Chapdelaine
Town Manager

730 Massachusetts Avenue
Arlington MA 02476-4908
Phone (781) 316-3010
Fax (781) 316-3019
E-mail: achapdelaine@town.arlington.ma.us
Website: www.arlingtonma.gov

To: Members of the Board of Selectmen

From: Jim Feeney, Assistant Town Manager

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke.

Date: November 9, 2016

RE: Request for Approval – Establishment of Working Group for Maintenance of Public Lands

I write to provide the Board supplementary information regarding the proposed Public Land Maintenance Working Group. The Working Group would study issues related to the short and long-term maintenance and management of open space, recreational land, and other natural resources. More specifically, Town-owned assets for consideration would include athletic fields, parks, playgrounds, water bodies, conservation lands, historic landscapes and cemeteries, and ornamental gardens.

Though the challenges facing the Town with the maintenance of these particular assets are not new, the formation of this Working Group is timely given the passage and implementation of the Community Preservation Act (CPA) in Arlington. Many Town-owned outdoor assets will be considered for CPA funding based on needs and/or conditions resultant in large part from the cumulative effects of deferred maintenance. As such, in order to protect our investments to the extent feasible, it is prudent to dovetail the planning of future maintenance needs with any significant expenditures to preserve, support, rehabilitate and

restore these assets. The Board may recall projects at Robbins Farm Park and the Spy Pond shoreline were funded at the annual Town Meeting and are now underway. It is expected that applications for multiple relevant projects will be submitted for FY18 CPA funding consideration.

As proposed, the Public Land Maintenance Working Group would be comprised of the following representatives:

- Town Manager's Office (Jim Feeney)
- Recreation Department (Jon Marshall)
- Department of Public Works (Mike Rademacher)
- Planning Department Representative
- Park and Recreation Commission Member
- Conservation Commission Member
- Open Space Committee Member
- Finance Committee Member
- Resident at large

The Working Group would engage other stakeholders as necessary, assess and evaluate needs, and develop any necessary recommendations for the maintenance and management of open space, recreational land, and other natural resources. Following their review, the Working Group would advise the Town Manager and report back to the Board and Town Meeting as necessary.



Town of Arlington, Massachusetts

Vote: Referral of HCA Downing Square Traffic Study to Transportation Advisory Committee for Review

Summary:

Adam W. Chapdelaine, Town Manager

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Downing_Traffic_Study_memo_to_BoS_(2).pdf	Downing Traffic Study Memorandum



TOWN OF ARLINGTON

MASSACHUSETTS 02476

781 - 316 - 3090

DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

MEMORANDUM

To: Adam Chapdelaine, Town Manager

From: Laura Wiener, Assistant Director of Planning and ex officio TAC member

Date: November 10, 2016

RE: Traffic Study for proposed residential development at 19R Park Ave.

On Monday November 7, the Arlington Redevelopment Board (ARB) held a public hearing on a proposal by the Housing Corporation of Arlington to develop 34 units of affordable housing at 19R Park Ave. At that meeting, the ARB asked if the Transportation Advisory Committee (TAC) might be able to assist them by reviewing the Traffic Study for the project, and advising them about any additional information that might be useful, and if any traffic related conditions should be placed on the Special Permit.

TAC met on November 9, 2016 and briefly discussed the ARB request. They offered to have a Working Group review the Traffic Study and do their best to get a memo to the ARB for their next meeting on November 21.



Town of Arlington, Massachusetts

NEW BUSINESS



Town of Arlington, Massachusetts

EXECUTIVE SESSION



Town of Arlington, Massachusetts

Next Meeting of BoS November 28, 2016