

North Cambridge Stabilization Committee

November 26, 1997

Mr. Benjamin Barnes, Chairman
Cambridge License Commission
831 Massachusetts Avenue
Cambridge, MA 02139/via fax

**RE: T.J. Hartnett Beverage Co., Inc., d/b/a [Boyle's] Buy-Rite Liquors
2440 Massachusetts Avenue**

Dear Mr. Barnes:

Following the Commission's October hearing on the proposed transfer of the above package store license to Modern Continental Enterprises, Inc., we learned that the transferee's sworn license application indicates that the site will not be redeveloped. According to the corporate officers' joint response to Question 11, there will be "no construction, remodeling, redecorating or building on the premises for this license."

As was stated at the hearing, this directly contradicts the information corporation clerk Robert Shepard provided to our committee about Modern Continental's plans for the property. While the company may intend to exercise the license for a short time while it considers development options, finalizes architectural drawings, and obtains building permits, Mr. Shepard made it quite clear and confirmed *in writing* that Modern Continental is actively contemplating several scenarios, all of which call for demolishing the existing building and redeveloping the premises in ways that are not compatible with the operation of a liquor store:

1. Constructing an expanded medical office facility to house the Marino's Health Center, now located at 2500 Mass. Ave.;
2. Erecting a 77-unit dormitory building for a local university that has expressed interest in the site; or
3. Building an underground parking garage with a 47-unit apartment building on top of it or covering the parcel with townhouses.

It also appears that the license application is incomplete. While Questions 12 and 13 suggest that Modern Continental either has or intends to purchase the Boyle property, the required details concerning the type of ownership and the terms and conditions of the purchase and sale have not been provided.

In the absence of such information about the purchaser's arrangement with the current license holder and the transferee's ultimate plans for both the license and the site, neither the community nor the License Commission can determine whether the proposed transfer of this license at this time would serve the public need or promote the common good.

On behalf of the Stabilization Committee, I therefore urge you to deny this application.


Michael Brandon
27 Seven Pines Avenue
Cambridge, MA 02140

cc: Joe Joseph, Craig Kelley, Richard Clarey
Cambridge City Council c/o City Clerk

28-2

FAX

DATE: December 11, 1997

TO: Cambridge City Clerk

FAX: 349-4269

FROM: Michael Brandon

MBrandon@earthlink.net

Michael.Brandon@bje.org

(617) 864-3520

PAGES: 3 (including fax memo)

MEMO

**Herewith please find two communications for the December 15
City Council agenda.**

Thanks for your assistance.

28-1

Michael Brandon • 27 Seven Pines Avenue • Cambridge, MA 02140 • (617) 864-3520

Consent Communication #28

5-761

Communication was received from Michael Brandon, transmitting his concerns on the proposed transfer of Boyle's Buy-Rite Liquors license to Modern Continental Enterprises, Inc.

In City Council December 15, 1997

PLACED ON FILE