

Re: Lowhill, Inc.
d.b.a.: Joe Sent Me
Premise: 2388-2390 Massachusetts Ave
City/Town: Cambridge, MA 02140
License: AA Restaurant
Heard: May 13, 2009

DECISION

Alexander McCullough, the manager of Lowhill, Inc. d.b.a. Joe Sent Me appeared before the Commission regarding their application for an alteration of premises. The alteration of premise application was for a seasonal patio consisting of eight tables and sixteen chairs.

The Commission has determined the following guidelines must be adhered to in order to grant an extension of premises to patio and outside areas. The guidelines are as follows:

1. Alcoholic beverages cannot be served outside a licensed establishment unless and until an application to extend the licensed premises has been approved.
2. An application to extend the premises must describe the area in detail: for example, dimensions, number of tables and chairs, occupancy figures for inside area and outside area and bars, if any.
3. It is essential that the licensee have control of the area in order to preclude service to underage persons, to intoxicated persons, and other violations. The premises must be enclosed by a fence, rope or other means to prevent patrons or members of the public from wandering in and out.
4. The outdoor area must be contiguous to the licensed premises and the licensee should have a view of the outside premises from inside. Egress from the inside to the outside must be clearly established. This will assure safe, uninterrupted service of alcoholic beverages.
5. The outdoor area must have adequate exits in case of emergency.
6. The licensing authorities should consider the type of neighborhood and the potential for noise in the environs.

7. Preferred are outdoor areas where alcohol is served to patrons who are seated at tables and where food is also available.

The Commission has determined the licensee has satisfied these guidelines and, therefore, approves the application.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert H. Cronin, Commissioner _____

Susan Corcoran, Commissioner _____

Dated in Boston, Massachusetts this 14th day of May 2009.

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty days of receipt of this decision.

cc: Local Licensing Board
File