



City of Boston
Mayor Michelle Wu
Licensing Board

Commissioners:
Kathleen M. Joyce, Chairman
Keeana S. Saxon
Liam P. Curran
Executive Secretary:
Daniel R. Green

Voting Hearing Agenda
January 8, 2026
(all commissioners present)

Licensed Premise Inspection Hearing on Tuesday, January 6, 2026

1. Mile 22, Inc.

Doing business as: Cityside in the Circle
Location: 1958 - 1960 Beacon St., Brighton MA 02135
License#: LB-98902, Notice/Violation#: 003716, Category: CV7AL
Date: 10/18/2025
Notice: Over-served patron in violation of M.G.L. ch. 138 s. 69.

No Violation
Correspondence from the Board

2. Stark Hospitality, LLC

Doing business as: Hue
Location: 90 Exeter St., Boston, MA 02116
License#: LB-99067, Notice/Violation#: 004236, Category: CV7AL
Date: 11/09/2025
Notice: Assault and battery patron on patron in violation of M.G.L. ch. 138 s. 64, ch. 265 s. 13A.

Deferred to receive and review video evidence

3. Croke Park, Inc.

Doing business as: Croke Park
Location: 268 W Broadway, South Boston, MA 02127
License#: LB-99299, Notice/Violation#: 021533, Category: CV7AL
Date: 10/11/2025
Notice: Assault and battery on a patron (outside, abutting) in violation of M.G.L. ch. 138 s. 64, ch. 265 s. 13A.

No Violation

4. Somers Boston Restaurants, Inc.

Doing business as: Hennessy's of Boston

Location: 25 Union St., Boston, MA 02108

License#: LB-99420, Notice/Violation#: 025558, Category: CV7AL

Date: 09/23/2025

Notice: Assault and battery staff on patron in violation of M.G.L. ch. 138 s. 64, ch. 265 s. 13A.

Deferred to receive and review video evidence

5. CMG 10 PO Square, LLC

Doing business as: Mariel

Location: 10 Post Office Sq., Boston, MA 02109

License#: LB-400468, Notice/Violation#: 020614, Category: CV7ALR

Date: 09/12/2025

Notice: Persons under 21 in possession of alcohol on premise in violation of M.G.L. ch. 138 s. 34A, 34C, 64-64A.

Violation - Warning

6. Metro Dining, Inc.

Location: 32 - 34 Harvard Av., Allston, MA 02134

License#: LB-99095, Notice/Violation#: 019665, Category: CV7AL

Date: 10/16/2025

Notice: Persons under 21 in possession of alcohol on premise in violation of M.G.L. ch. 138 s. 34A, 34C, 64-64A.

Violation - Indefinite suspension to be lifted upon the transfer of the license

7. Boston BMA LLC

Doing business as: Marcelino's Boutique Bar,

Location: 2 Northern Av., Boston, MA 02210

License#: LB-99097, Notice/Violation#: 019667, Category: CV7AL

Date: 10/17/2025

Notice: Service of more than 2 drinks to one patron at a time (3 shots) in violation of M.G.L. ch. 138 s. 64.

No Violation

8. Early Monsoon LLC

Doing business as: Don't Tell Aunty

Location: 1080 Boylston St., Boston, MA 02115

License#: LB-99092, Notice/Violation#: 019671, Category: CV7AL

Date: 10/18/2025

Notice: Blocked fire exits - table and chairs in violation of M.G.L. ch. 138 s. 64 and Board's rule 1.06A.

Violation - Warning

9. Paga, Inc.

Doing business as: Icon

Location: 100B Warrenton St., Boston, MA 02116

License#: LB-101566, Notice/Violation#: 055051, Category: GOPAL

Date: 12/21/2025

Notice: Service to intoxicated patron in violation of M.G.L. ch. 138 s. 69.

Failure to supervise conduct of the Licensed Premise (crowd) in violation of M.G.L. ch. 138 s. 64 and Board's Rule 1.09A

Permitting a disturbance resulting in the Licensed Premise becoming a focal point for police attention in violation of M.G.L. ch. 138 s. 64 and Board's Rule 1.09E

No Violation

The Board requests the submission of an Emergency Management Plan, outlining detailed operational procedures in the event of a medical or other emergency. This plan is to include, at a minimum: protocols regarding police and/or emergency medical notification; crowd control and dispersal; protocols regarding music and lighting during an emergency response.

Transactional Hearing on Wednesday, January 7, 2026

(Commissioner Saxon was not present for the transactional hearing)

1. Venchi 123 Newbury LLC

Doing business as: Venchi

123 Newbury St, Boston, MA 02116

License #: LB-614490

Has applied for a Common Victualler License to be exercised on the above - The premises consist of 1,284 SF of space located on the walk-down level of the building, including seating for 15 patrons, a restroom, storage, and a retail area.

Manager: Jeanie Davis

Hours of Operation: 10:00 AM to 11:00 PM

Granted

2. Equis Pica Pollo Lawrence LLC

Doing business as: Equis Pica Pollo

604 Blue Hill Ave, Dorchester, MA 02121

License #: LB-608529

Holder of a Common Victualler License has petitioned to Change the Closing Hour of the licensed business - From: 7:00 AM - 11:00 PM To: 7:00 AM - 1:00 AM

Rejected without prejudice

Any new application must be accompanied by a full community process

3. 750 Tremont Street, LLC

750 Tremont St, Roxbury, MA 02118

License #: LB-613851

Has applied for a Lodging House License to be exercised on the above - 10 units on five floors. 2 rooms/8 lodgers per floor, for a total of 40 lodgers. Each unit has a private bathroom and kitchenette. One unit has back patio access. There are no common amenities.

Manager: Armando Hernandez

Granted

4. 507 Mass Ave, LLC

507 Massachusetts Ave, Roxbury, MA 02118

License #: LB-523190

Holder of a Lodging House License has petitioned to change the capacity - From: 7 units, with 7 lodgers To: 10 units, with 40 lodgers.

Granted

5. Lank's Wine and Liquor, Inc.

Doing business as: Lank's Liquor

1055 Truman Pkwy, Hyde Park, MA 02136

License #: LB-101926

Holder of a Retail Package Store All-Alcoholic Beverages License has petitioned for a Change of Officers/Directors. Secondly has petitioned to the DBA of the license business - From: Lank's Liquor To: Super Liquors.

Granted

6. Emerson College

Doing business as: Emerson College
543-561 Washington St, Boston, MA 02111
License #: LB-101574

Holder of a General on Premise All-Alcoholic Beverages License has petitioned for a change of Officers/Directors. Secondly, has petitioned to change the manager of the licensed business - From: David C. Howse To: Richard Madonna, Jr.

Granted

7. Emerson College

Doing business as: Emerson College
219 Tremont St, Boston, MA 02116
License #: LB-101610

Holder of a General on Premise Wines and Malt Beverages License with Liqueurs has petitioned for a change of Officers/Directors. Secondly, has petitioned to change the manager of the licensed business - From: David C. Howse To: Richard Madonna, Jr.

Granted

8. Fan Hall MV Restaurant, LLC

Doing business as: Margaritaville
300 Faneuil Hall Marketplace, Boston, MA 02109
License #: LB-99402

Holder of a Common Victualler 7 Day All-Alcoholic Beverages License has petitioned for a Change of Ownership Interest. Secondly, has petitioned for a Change of Officers/LLC Managers.
Attorney: Elizabeth Pisano

Granted

9. 669 Centre, LLC

Doing business as: Tonino
669A Centre St, Jamaica Plain, MA 02130
License #: LB-99538

Holder of a Common Victualler 7 Day Wines and Malt Beverages with Liqueurs License has petitioned for a Change of Ownership Interest. Secondly, has petitioned for a Change of Officers/LLC Managers.
Attorney: Adam R. Barnosky

Granted

10. JJDA Fernandez, Inc.

Doing business as: Fernandez Liquors VI
1151 Blue Hill Ave, Dorchester, MA 02124
License #: LB-101852

Holder of a Retail Package Store All-Alcoholic Beverages License has petitioned for a Change of Stock Interest. Secondly, has petitioned for a Change of Officers/Directors. Thirdly, has petitioned to change the manager of the licensed business - From: Amilcar Fernandez To: Frandy Fernandez. Fourthly, has petitioned to change the dba of the licensed business - From: Fernandez Liquors VI To: Fernandez Square Liquors. Lastly, has petitioned to pledge the license to Rockland Trust.

Attorney: Jennifer Allen

Granted

11. He Pub, Inc.

Doing business as: The Jeanie Johnston
144 South St, Jamaica Plain, MA 02130
License #: LB-99222

Holder of a Common Victualler 7 Day All-Alcoholic Beverages License has petitioned to amend the closing hour of the licensed business - From: 1:00 AM To: 2:00 AM.

Attorney: Patricia A. Malone

Granted

12. 204 Hanover Corp.

Doing business as: North End Lobster Co.
204-204A Hanover St, Boston, MA 02113
License #: LB-99580

Holder of a Common Victualler 7 Day Wines and Malt Beverages License has petitioned to change the classification of its license -To Wines, Malt Beverages and Liqueurs pursuant to the authority contained in Chapter 481 of the Acts of 1993.

Attorney: Dennis A. Quilty

Granted

13. MJ Back Bay, LLC

Doing business as: Courtyard by Marriott

88 Exeter St, Boston, MA 02116

License #: LB-101675

Holder of an Innholder Wines and Malt Beverages License has petitioned to transfer the license from the above - To: CCC Boston's 88 Exeter Holdco, LLC dba Courtyard by Marriott (at the same location). Justin McToal, Manager. 10:30 PM Closing Hour. Updating the description of premise as follows: A 28,177 square foot full service hotel on 11 floors with 1 entrance and 1 exit consisting of a lobby, 2 restrooms, kitchen, and a bistro/lounge space with 60 seats on the first floor, storage in the basement level, and a total of 81 guest rooms on the upper levels.

Attorney: Thomas P. Miller

Granted

14. Alasty Corp.

Doing business as: Napper Tandys

4187-4195 Washington St, Roslindale, MA 02131

License #: LB-99286

Holder of a Common Victualler 7 Day All-Alcoholic Beverages License has petitioned to transfer the license from the above - To: LH Roslindale, LLC dba La Hacienda (at the same location). Miguel A. Callejas, Manager. 2:00 AM Closing Hour. Updating the description of premise as follows: One level building with basement; ground floor holds approximately 2046 square feet of patron floor space, three bathrooms, including one handicap accessible bathroom, kitchen area with 405 square feet, two entrances on Washington, two egresses on Washington and one egress at rear of building. 2451 SF total. Attorney: Mark A. White

Continued to the January 28, 2026 Transactional Hearing

15. The Dugout Cafe, Inc.

Doing business as: The Dugout

722 Commonwealth Ave, Boston, MA 02215

License #: LB-99339

Holder of a Common Victualler 7 Day All-Alcoholic Beverages License has petitioned to transfer the license and the location - From: The Dugout Cafe, Inc. located at 722 Commonwealth Ave, Boston, MA 02215 To: Earl's Restaurant (Seaport, MA) Inc. dba Earl's Kitchen + Bar located at 155 Seaport Blvd, Suite # P14, Boston, MA 02210. Sarah Rosenstein, Manager. 1:00 AM Closing Hour. Premise consists of - 9,576 sq ft on ground floor consisting of dining room, bar area, kitchen and restrooms, with covered year round patio of 1635 sf on Seaport Blvd with 59 seats and a seasonal (March 13-November 1) outdoor patio on public property of 1204 sf on Congress Street with 65 seats and a closing hour of 11PM (on the outdoor seasonal patio only). 12,415 SF total with 1 entrance and 4 exits.

Attorney: Patricia Lang Farnsworth

Granted

16. Inshallah, Inc.

Doing business as: Crave

128 Brighton Ave, Allston, MA 02134

License #: LB-99345

Holder of a Common Victualler 7 Day All-Alcoholic Beverages License has petitioned to transfer the license and the location - From: Inshallah, Inc. located at 128 Brighton Ave, Allston, MA 02134 To: Wan Xi LLC d/b/a ZHU located at 903-905 Boylston Street Boston, MA 02115. Yanjuan Duan, Manager. 2:00 AM Closing Hour. Premise consists of - In 8,000SF across 4 floors with 1 entrance and 2 exits, consisting of a lower level with a kitchen, dining area with 64 seats; first floor with a kitchen and dining area with 42 seats; second floor with a dining area with 64 seats restrooms; and third floor with an office, storage and restroom. Additionally, has petitioned to Pledge the License to: Charles M. Talanian. Attorney: Thomas P. Miller

Granted, with a closing hour of 1:00 AM

17. Tiger Mama, LLC

Doing business as: Tenderoni's

1363 Boylston St, Boston, MA 02215

License #: LB-99042

Holder of a Common Victualler 7 Day All-Alcoholic Beverages License has petitioned to transfer the license and the location - From: Tiger Mama, LLC located at 1363 Boylston St, Boston, MA 02215 To: Rosa y Marigold, LLC dba Rosa y Marigold located 1001 Boylston St a/k/a 400 Newbury St, Boston, MA 02115. Juan Manuel Calderon, Manager. Premise consists of - In one large room on ground floor of Lyrik building (1001 Boylston Street a/k/a 400 Newbury Street, Retail Unit 5) comprised of dining area, open kitchen and bar (82 seats total); restrooms, storage and prep/wash area located in the rear; seasonal (March-November) outdoor patio on private property with 18 seats and 12:00AM closing hour. All together comprised of 2,795 sf (2,420 sf indoors; 375 sf outdoors) with 1 entrance and 2 exits. 1:00AM interior closing hour. Secondly, has petitioned to Pledge the License to: P-12 Property LLC. Lastly, has petitioned for the removal of the patio conditions affiliated with current license: (1) 11:00 PM closing, (2) alcohol with food only, and (3) patio to be staffed at all times. Attorney: Dennis A. Quilty

Granted

18. La Leyenda Market, Inc.

Doing business as: Tropical Market

371 Centre St, Jamaica Plain, MA 02130

License #: LB-615273

Has applied for a Retail Package Store Wines and Malt Beverages License to be exercised on the above - 1600 SF Store with 1 entrance, 1 Exit and 1 Emergency Exit. Main floor includes shelving and refrigeration units, and a restroom. Basement for storage only (not accessible to the public).

Manager: Gleidys Marisel Castillo

Closing Time: 11:00 PM

Rejected without prejudice

19. Centre Foodservice LLC

Doing business as: Maria's Kitchen

1829 Centre St, West Roxbury, MA 02132

License #: LB-615311

Has applied for a Common Victualler 7 Day Wines and Malt Beverages License to be exercised on the above - About 1,860 sq. ft. seating area, kitchen and prep area, basement storage. Two entrances, two exits.

Manager: Dimitrios Meletlidis

Closing Time: 11:00 PM

Attorney: Thomas P. Miller

Deferred until after the January 16 application deadline has passed

20. Shoyu Boston LLC

Doing business as: Shoyu Boston

36-38 Harrison Ave, Boston, MA 02111

License #: LB-615293

Has applied for a Common Victualler 7 Day Wines and Malt Beverages with Liqueurs License to be exercised on the above - Full service 2,000 SF restaurant on two floors with 2 entrances and 2 exits, consisting of a dining room, full kitchen, and two bathrooms on the main floor, and a bathroom and storage in the basement.

Manager: Michael Mei

Closing Time: 11:00 PM

Attorney: Thomas P. Miller

Deferred until after the January 16 application deadline has passed

Non-Hearing Transactions

The following are applying for a New Common Victualler License at a previously licensed location:

1. Pedros on Wheels LLC

D/B/A: Pedro's Kitchen

87 Glenville Av., Allston, MA 02134

License #: LB-614856

Has applied for a Common Victualler License to be exercised at a previously licensed location - The premises consist of a 3,200 square foot full-service restaurant located entirely on one complete floor, with seating for 127 occupants and accommodation for 9 standing. The space includes a bar seating area, a full kitchen, and four bathrooms located at the rear on each side of the first floor. There is also a basement used for storage. The establishment has no patio and includes three exits.

Manager: Pedro Alarcon

Hours of Operation: 9:00 AM to 1:00 AM

Granted

2. Golden Crust Bakery, Inc.

Doing business as: Golden Crust Bakery

18 Hudson St., Boston, MA 02111

License #: LB-615712

Has applied for a Common Victualler License to be exercised at a previously licensed location - Garden-level business premises fronting on Hudson Street, containing approximately 3,200 square feet, with minimal food preparation and separate sales areas for prepared bakery food items, with egress from both the front and rear of the premises.

Manager: Jimmy LI

Hours of Operation: 8:00 AM to 10:00 PM

Granted

3. Reroot LLC

Doing business as: Cocobeet

225 Franklin St., Boston, MA 02110

License #: LB-615747

Has applied for a Common Victualler License to be exercised at a previously licensed location - 300SF On the ground floor, with a kitchen in the rear, a bathroom located upstairs, and no seating.

Manager: Onur Ozkoc

Hours of Operation: 7:00 AM to 9:00 PM

Granted

4. Reroot LLC

Doing business as: Cocobeet

131 Dartmouth St., Boston, MA 02116

License #: LB-615749

Has applied for a Common Victualler License to be exercised at a previously licensed location - 300SF
On the ground floor, with a kitchen in the rear, a bathroom located upstairs, and no seating.

Manager: Onur Ozkoc

Hours of Operation: 7:00 AM to 9:00 PM

Granted

5. SM International Inc.

Doing business as: Khau Galli

38 Brooks St., Brighton, MA 02135

License #: LB-615751

Has applied for a Common Victualler License to be exercised at a previously licensed location
- 1,800SF

Ground-floor space consisting of a commercial kitchen equipped with a hood, sinks, and prep area, along with a front takeout counter. An employee bathroom is located in the rear, with the basement used for dry and equipment storage. No customer seating.

Manager: Siddhey Mahadik

Hours of Operation: 6:00 AM to 11:00 PM

Granted

6. Make Life Sweeter LLC

Doing business as: Flour Bakery + Cafe

1618 Tremont St., Mission Hill, MA 02120

License #: LB-615760

Has applied for a Common Victualler License to be exercised at a previously licensed location
- 2,426SF

Bakery/Café with one main floor and a back-of-house mezzanine level used for office and storage. The first floor includes a BOH prep area, dishwashing station, and refrigeration, while the FOH provides 30 seats along with a coffee, pastry, and sandwich station. A private seasonal patio will be used from April through November with 15 seats and the same business hours.

Manager: Carro Oldham

Hours of Operation: 6:30 AM to 7:00 PM

Granted

7. Nova Eats LLC

Doing business as: Paku Katsuya
145 Tremont St., Boston, MA 02111
License #: LB-615765

Has applied for a Common Victualler License to be exercised at a previously licensed location
-2,057SF

Ground-floor restaurant with a kitchen in the rear, a storage room, two washrooms for customers, and two washrooms for employees. Seating for 44 patrons. No patio.

Manager: Biao Wang

Hours of Operation: 11:00 AM to 10:00 PM

Granted

8. Pho Town - Brighton LLC

Doing business as: Pho Town
89 Brighton Av., Allston, MA 02134
License #: LB-615767

Has applied for a Common Victualler License to be exercised at a previously licensed location
-1,500SF

Full-service restaurant located on the first floor, with two handicap-accessible bathrooms (men's and women's). The space includes seating for 32 patrons, a 10-foot kitchen hood with eight stock burners and one pasta boiler, and two sandwich prep refrigerators. No basement or outdoor seating.

Manager: Benjamin Nguyen

Hours of Operation: 10:30 AM to 10:00 PM

Granted

9. Radhe Morari LLC

Doing business as: Tropical Smoothie Cafe
470 Washington St., Brighton, MA 02135
License #: LB-615768

Has applied for a Common Victualler License to be exercised at a previously licensed location
-1,611SF

Located on the second floor of the building, with one bathroom, one office, and a dining room with seating for 15 patrons. The kitchen is located on the same floor and includes shelving storage facilities. No patio.

Manager: Gineshkumar Patel

Hours of Operation: 7:00 AM to 9:00 PM

Granted

10. Fritay Restaurant, LLC

Doing business as: Fritay Restaurant
1336 Blue Hill Av., Mattapan, MA 02126
License #: LB-615771

Has applied for a Common Victualler License to be exercised at a previously licensed location -2,000SF On the first floor, with a kitchen and seating for four patrons. The kitchen includes a hand sink and a wash sink. From the kitchen, there is a rear exit through a door leading outside, with a restroom located to the right upon exiting the kitchen at the rear of the premises. The basement is used for storage. No patio.

Manager: David Cange

Hours of Operation: 7:00 AM to 11:00 PM

Granted

The Following have applied to make changes to their existing Common Victualler License:

1. AUA168, Inc.

Doing business as: Rice Away
296 Washington St., Brighton, MA 02135
License #: LB-561991

Holder of a Common Victualler License has petitioned to change the DBA of the licensed business
From: Rice Away To: Nakhon

Granted

2. ASMA Foods, LLC

Doing business as: Felcaro Pizzeria
280 Cambridge St., Boston, MA 02114
License #: LB-100429

Holder of a Common Victualler has petitioned to add Officer to the license business - Anis Lahiani
Secondly, has petitioned to change Manager of the licensed From: Sabeur Eleuchi To: Anis Lahiani

Granted

3. Blank Street Coffee 120 Causeway St. Boston LLC

120 Causeway St., Boston, MA 02114

License #: LB-579057

Holder of a Common Victualler License has petitioned to change the Manager of the licensed business

From: Derek Craig To: Nicholas Sandilands

Secondly, has petitioned to to add Officers to the license business To: Matthew Duell

Granted

4. Blank Street 97 Charles Street Boston LLC

Doing business as: Blank Street Coffee

97 Charles St., Boston, MA 02114

License #: LB-100038

Holder of a Common Victualler License has petitioned to change the Manager of the licensed business

From: Laetitia Godfrin-Ruiz To: Nicholas Sandilands

Secondly, has petitioned to to add Officers to the license business To:Matthew Duell

Granted

5. Blank Street 282 Cambridge Street LLC

Doing business as: Blank Street Coffee

282 Cambridge St., Boston, MA 02114

License #: LB-353635

Holder of a Common Victualler License has petitioned to change the Manager of the licensed business

From: Laetitia Godfrin-Ruiz To: Nicholas Sandilands

Secondly, has petitioned to to add Officers to the license business To: Matthew Duell

Granted

6. Blank Street 489 E. Broadway Boston LLC

Doing business as: Blank Street Coffee

489 E Broadway, South Boston, MA 02127

License #: LB-555367

Holder of a Common Victualler License has petitioned to change the Manager of the licensed business

From: Derek Craig To: Nicholas Sandilands

Secondly, has petitioned to to add Officers to the license business To: Matthew Duell

Granted

7. Blank Street 647 Boylston Street Boston LLC

Doing business as: Blank Street Coffee

647 Boylston St., Boston, MA 02116

License #: LB-520580

Holder of a Common Victualler License has petitioned to change the Manager of the licensed business

From: Laetitia Godfrin-Ruiz To: Nicholas Sandilands

Secondly, has petitioned to change the Officers of the Location of the licensed business From: Anders Cairns (Director) To: Matthew Duell (Officer)

Granted

8. Hong Kong Eatery, Inc.

Doing business as: Hong Kong Eatery

79 Harrison Av., Boston, MA 02111

License #: LB-582201

Holder of a Common Victualler License has petitioned to change the capacity of the licensed business

From: 60 To: 49

Granted

9. Holly Crab Boston, Inc.

Doing business as: Holly Crab

1098 Commonwealth Av., Boston, MA 02446

License #: LB-438577

Holder of a Common Victualler License has petitioned to Change the Closing Hours to the location of the licensed business- From: 12:00 PM - 10:00 PM To: 12:00 PM - 11:00 PM

Granted

All Special One Day Alcohol Licenses have been approved

Old and New Business:

1. The Board is in receipt of correspondence from AHF Speedway Holdings, LLC d/b/a Charles River Speedway, 1420-1440 Soldiers Field Rd., Brighton, MA 02135, License # LB-464491, notifying the Board of the termination of two management agreements between AHF Speedway Holdings, LLC and Superbien LLC and Birds of Paradise LLC.

Acknowledged

2. The Board held an informational hearing on October 21, 2025 to receive public feedback from licensees regarding M.G.L. ch. 138 s. 12D (as codified by Chapter 9 of the Acts of 2025) which would permit the Board to allow licensees permitted to sell only wines and malt beverages pursuant to M.G.L. ch. 138 s. 12 to trade in said license and be issued a non-transferable all alcoholic beverages license. Following the close of an open comment period, the Board discussed principles to be included in final regulations.

Draft regulations to be voted on or amended are as follows:

Proposed New Rule 1.08(R)

R. Licensees permitted under Section 12 to sell only wine and malt beverages, with or without the addition of cordials/liqueurs, may apply to trade in said license and be issued a non-transferable all alcoholic beverages license pursuant to Chapter 138, Section 12D and the following regulations:

1. Licensees seeking to upgrade to an all alcoholic beverages license will submit the ABCC's "Change of Category" application and required accompanying documentation to the Board. The application is subject to all provisions of Chapter 138, including notice, publication, certified mailing, and a hearing.
2. The Licensing Board shall not require any community process to upgrade a license pursuant to this section, if the licensee has completed a community process in connection with an application for an all alcoholic beverages license within the past two years.
3. If approved, the all alcoholic beverages license shall, upon issuance, be nontransferable to any other person, corporation, or organization and shall be clearly marked "nontransferable" on its face.
4. An upgraded license issued under this section, if cancelled, revoked, or no longer in use, shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the Licensing Board. Once returned to the Licensing Board, the license shall revert to a license to sell wine and malt beverages only, and shall be returned to either the general quota or to a special legislation quota, depending on the original issuance of the license to sell wine and malt beverages.
5. A licensee whose license has been upgraded pursuant to this section may apply at any time to "downgrade" to a license to sell only wine and malt beverages, with or without the addition of cordials/liqueurs, by submitting a "Change of Category" application and required accompanying documentation to the Licensing Board. The application is subject to all provisions of Chapter 138, including notice, publication, certified mailing, and a hearing. If approved, the license shall revert to its category prior to upgrading. If the original wine and malt

beverages license was a general quota license, the downgraded license shall be transferable upon issuance.

6. In evaluating whether to approve an application for an upgrade pursuant to this section, the Licensing Board shall conduct a public need analysis, guided by the factors outlined in *Ballarin, Inc. v. Licensing Board of Boston* and other relevant decisions. Public need shall be presumed if the licensee has held a license to sell wine and malt beverages for a period of at least one year prior to applying for an upgrade.

7. A licensee whose license has been upgraded pursuant to this section may apply to change the location of said license. In evaluating whether to approve an application to change the location of an upgraded license, the Licensing Board shall conduct an analysis of the public need at the proposed new location, guided by the factors outlined in *Ballarin, Inc. v. Licensing Board of Boston* and other relevant decisions. The Board's decision shall also include an analysis of the impact that the change of location would have on the license's prior location.

Passed as Board's Rule 1.08(R)
