

COMMON VICTUALLER LICENSE

Brookline Subway, Inc.  
d/b/a Subway  
238 Harvard Street

Bhavesh Patel, Owner

Building Department Report Attached  
Health Department Report Attached - Conditions

TOWN OF BROOKLINE

APPLICATION

OFFICE OF THE SELECTMEN

COMMON VICTUALLER

DATE 11/05/12

LOCATION 238, HARVARD ST. BROOKLINE, MA-02446

APPLICANT BROOKLINE SUBWAY, INC

NAME OF INDIVIDUAL, PARTNERSHIP OR CORPORATION

D/B/A SUBWAY

BUSINESS TELEPHONE [REDACTED] 5049

BUSINESS OWNERSHIP

CONTACT [REDACTED] 1125

BHAVESH PATEL, 585 MAIN ST APT 308, MELROSE, MA-02176  
NAME OF INDIVIDUAL OWNER, PARTNER OR CORPORATE PRESIDENT AND RESIENCE

NAME OF PARTNER OR CORPORATE VICE PRESIDENT AND RESIDENCE

NAME OF PARTNER OR CORPORAAATE TREASURER AND RESIDENCE

HAVE YOU PREVIOUSLY HELD A COMMON VICTUALLER LICENSE IN BROOKLINE OR ELSEWHERE: NO IF SO WHERE?

WHAT YEARS AND WHAT ADDRESSES:

IF NOT PREVIOUSLY LICENSED, HAVE YOU HAD AND PRIOR EXPERIENCE IN THE FOOD SERVICE BUSINESS: I WORKED MORE THAN TWO YEARS IN DELI COUNTERS AT KURKMAN'S MARKET, BROOKLINE, MA

CURRENT HOURS OF OPERATION:

DAY <u>SUNDAY</u>	<u>8.00 am</u>	TO	<u>9.00 pm</u>
<u>MONDAY TO FRIDAY</u>	<u>7.00 am</u>	TO	<u>10.00 pm</u>
<u>SATURDAY</u>	<u>8.00 am</u>	TO	<u>10.00 pm</u>

PROPOSED HOURS OF OPERATION:

DAY <u>SUNDAY</u>	<u>8.00 am</u>	TO	<u>9.00 pm</u>
<u>MONDAY TO FRIDAY</u>	<u>7.00 am</u>	TO	<u>10.00 pm</u>
<u>SATURDAY</u>	<u>8.00 am</u>	TO	<u>10.00 pm</u>



RENOVATION FORM

PLEASE DESCRIBE IN DETAIL EXACTLY WHAT RENOVATIONS WILL BE MADE, DATE AND SIGN THIS FORM.

1.

2.

3.

4.

5.

6.

NA

11/05/12  
DATE

*[Signature]*  
SIGNATURE OF APPLICANT

LICENSE INTERVIEW FORM

TYPE OF LICENSE APPLYING FOR: COMMON VICTUALLER

NAME: BHAVESH PATEL

HOME ADDRESS: 585 MAIN ST, APT 308, MELROSE MA 02176

TELEPHONE: [REDACTED]

PLACE OF BIRTH: INDIA DATE OF BIRTH: 09/17/1972

ARE YOU A CITIZEN: YES  NO  ALIEN CARD # [REDACTED]

FATHER'S NAME: LALBHAI PATEL MOTHER'S MAIDEN NAME: SHANTABEN PATEL

VETERAN: YES  NO

RESIDENCES: (DATE AND PLACE)

1. 585 MAIN ST, APT 308, MELROSE, MA 02176 From: 11/01/2011
2. 59 MELROSE ST, APT 4/B MELROSE, MA 02176 Fr: 06/01/2008 to 10/31/2011
- 3.
- 4.

EDUCATION: (DATE AND PLACE)

1. BACHELOR OF COMMERCE 04/1/1992 AHMEDABAD (INDIA)
- 2.
- 3.
- 4.

EMPLOYMENT: (DATE, PLACE, POSITION)

1. 1/1/2010 to now 301 E FOSTER ST MELROSE MA OWNER
2. 1/1/2007 to 12/31/2009 227 KURKMAN'S MARKET, EXPRESS ST, BROOKLINE, M  
MANAGER
- 3.
- 4.

PLEASE SUBMIT THIS FORM WITH THREE LETTERS OF REFERENCE.

SIGNATURE: [Signature] DATE: 11/05/12

11/5/ 2012

At a meeting of the Board of Directors of  
BROOKLINE SUBWAY INC

held at 301 E FOSTER ST MELROSE MA on 11/05/ 2012

it was duly voted that the Corporation apply to the Licensing Board for the Town of

Brookline for a COMMON VICTUALLER

for the year 2012 to be exercised on the premises located at 238 HARVARD ST

BROOKLINE MA-02176

'VOTED: To authorize BHAVESH PATEL to sign

the application for the license in the same name of BROOKLINE SUBWAY INC

and to execute in its behalf any

necessary papers, and to do all things required relative to the granting of the license."

This Corporation has        been dissolved.

A TRUE COPY

ATTEST

*[Signature]*  
CLERK

November 5, 2012

TO: Board of Selectmen  
Town Hall  
Brookline, MA 02445

FROM: Mangia Fresco Brookline, LLC DBA SUBWAY C/O Anna Gagliardi  
Located @: 238 Harvard, Brookline, MA  
Mailing Address: PO Box 1179, Middleton, MA 01949

RE: Application for Common Victualler License / Bhavesh Patel

Gentlemen:

Upon the granting of a Common Victualler License to Bhavesh Patel, i the undersigned, and the licensee(s) of the above restaurant, will surrender our Common Victualler License to Bhavesh Patel, if and when, one is issued to him, subject to the completed transfer of our ownership interests in this restaurant and the terms of our sale agreement.

If you should have any questions, please do not hesitate to contact me directly @ 978.230-1173.

Sincerely,



Anna Gagliardi, Member

November 5, 2012

TO: Board of Selectmen  
FROM: Bhavesh Patel  
RE: Litter Letter

To Whom it May Concern -

I am writing in reference to the requested Litter Letter required in order to obtain licensing. First and foremost, I will install and maintain as many receptacles as the Board of Selectmen may require outside of the store.

The store currently features a small dining area and two bathrooms with a total of 19 seats. In this dining area we have one trash barrel. We also maintain a separate trash barrel for the back of house, along with two trash barrels on our frontline, and one barrel in each bathroom. These barrels are checked regularly throughout the day, the bags are changed, and the barrels along with the areas around them are thoroughly sanitized. In addition to our managers, we instruct all staff to maintain this approach to maintain the cleanliness of our restaurant.

Throughout the day, we also sweep outside of our store including the sidewalks and gutters as they apply to our storefront. All litter is collected and placed in a bag and thrown out with the rest of our trash.

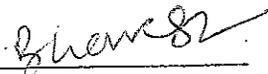
In the rear of our store, we maintain a closed/covered dumpster which is surrounded by fencing. Our staff cleans the area surrounding this dumpster and maintains the general cleanliness of this area. Further, we maintain surveillance equipment which records activity at the dumpster and monitors cleanliness to avoid litter and debris. The dumpster is serviced twice per week through Casella Waste.

Regards,



Bhavesh Patel

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.

  
\* Signature of Individual

By: Corporate Officer

  
\*\* Social Security # Voluntary  
or Federal Identification Number

\* This license will not be issued unless this certification clause is signed by the applicant.

\*\* Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, Chapter 62C, Section 49A.

Renyson Gomes  
227 Cypress St.  
Brookline, MA- 02445  
Ph: 617 335 9688  
November 6, 2012

To Whom It May Concern

Dear Sir,

Bhavesh Patel is a honest and successful businessman. He has an experience with food services and management. He strongly believes in outstanding customer services and satisfaction. Bhavesh would be a great asset to the community of Brookline.

Sincerely,



Renyson Gomes

KIRIT R PATEL  
13B CARPENTER HILL RD,  
MENDON, MA 01756  
Dt. 11/05/12.

To Whom It May Concern:

This is to inform that BHAVESH L PATEL was my co-worker for 13 years. I know him very well and he is a hard working, helpful and co-operative person. I am sure that he will be loved by his customers and the community as well. I highly recommend him to be a part of your community.

If you need any additional information please call me on my cell phone # 201-683-1809.

Sincerely,



(KIRIT PATEL)

Rina Patel

79 Jackson Road

Valley Stream, NY 11581

November 4, 2012

'To Whom May It Concern'

Dear Sir,

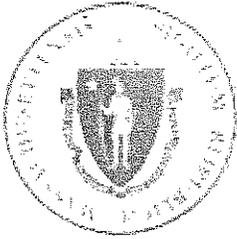
I have had the pleasure of knowing Bhavesh Patel for last eight years. During that years, I have known him in many capacities. He has been my friend since eight years. He is an intelligent, capable and dedicated. I feel confident in saying that he is capable of handling any situation with thoughtfulness.

Very truly yours,

A handwritten signature in cursive script that reads "Rina Patel".

Rina Patel





**The Commonwealth of Massachusetts  
William Francis Galvin**

Minimum Fee: \$250.00

Secretary of the Commonwealth, Corporations Division  
One Ashburton Place, 17th floor  
Boston, MA 02108-1512  
Telephone: (617) 727-9640

**Articles of Organization**

(General Laws Chapter 156D, Section 2.02; 950 CMR 1.13-13)

**Federal Employer Identification Number:** 001091344 (must be 9 digits)

**ARTICLE I**

The exact name of the corporation is:

BROOKLINE SUBWAY INC

**ARTICLE II**

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. C156D have the purpose of engaging in any lawful business. Please specify if you want a more limited purpose:

**ARTICLE III**

State the total number of shares and par value, if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
CNP	\$0.00000	275,000	\$0.00	1,000

G.L. C156D eliminates the concept of par value, however a corporation may specify par value in Article III. See G.L. C156D Section 6.21 and the comments thereto.

**ARTICLE IV**

If more than one class of stock is authorized, state a distinguishing designation for each class. Prior to the issuance of any shares of a class, if shares of another class are outstanding, the Business Entity must provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of that class and of each other class of which shares are outstanding and of each series then established within any class.

**ARTICLE V**

The restrictions, if any, imposed by the Articles of Organization upon the transfer of shares of stock of any class are:

**ARTICLE VI**

Other lawful provisions, and if there are no provisions, this article may be left blank.

**Note: The preceding six (6) articles are considered to be permanent and may be changed only by filing appropriate articles of amendment.**

#### ARTICLE VII

The effective date of organization and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a *later* effective date is desired, specify such date, which may not be later than the *90th day* after the articles are received for filing.

**Later Effective Date: Time:**

#### ARTICLE VIII

The information contained in Article VIII is not a permanent part of the Articles of Organization.

**a,b. The street address of the initial registered office of the corporation in the commonwealth and the name of the initial registered agent at the registered office:**

Name: BHAVESH PATEL  
No. and Street: 301 E FOSTER ST  
City or Town: MELROSE State: MA Zip: 02176 Country: USA

**c. The names and street addresses of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (an address need not be specified if the business address of the officer or director is the same as the principal office location):**

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
PRESIDENT	BHAVESH PATEL	301 E FOSTER ST MELROSE, MA 02176 USA
TREASURER	SNEHA PANCHAL	4378 ELLIPSE DR JACKSONVILLE, FL 32246 USA
SECRETARY	VAISHALI PATEL	301 E FOSTER ST MELROSE, MA 02176 USA
DIRECTOR	BHAVESH PATEL	301 E FOSTER ST MELROSE, MA 02176 USA

**d. The fiscal year end (i.e., tax year) of the corporation:**  
December

**e. A brief description of the type of business in which the corporation intends to engage:**

SUBWAY

**f. The street address (post office boxes are not acceptable) of the principal office of the corporation:**

No. and Street: 238 HARVARD ST  
City or Town: BROOKLINE State: MA Zip: 02446 Country: USA

**g. Street address where the records of the corporation required to be kept in the Commonwealth are located (post office boxes are not acceptable):**

No. and Street: 238 HARVARD ST

City or Town: BROOKLINE State: MA Zip: 02446 Country: USA  
which is

its principal office

an office of its transfer agent

an office of its secretary/assistant secretary

its registered office

Signed this 1 Day of November, 2012 at 4:41:49 PM by the incorporator(s). (If an existing corporation is acting as incorporator, type in the exact name of the business entity, the state or other jurisdiction where it was incorporated, the name of the person signing on behalf of said business entity and the title he/she holds or other authority by which such action is taken.)

BHAVESH PATEL

# BROOKLINE HEALTH DEPARTMENT

## M E M O R A N D U M

To: Melvin Kleckner,  
Town Administrator  
Board of Selectmen

From: Alan Balsam, <sup>AB</sup>  
Director of Public Health and Human Services

Date: December 14, 2012

Re: Subway  
238 Harvard St.  
Bhavesh Patel, Operator

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Please be advised that this Department has no objection to the issuance of a Common Victualler License to the above noted applicant.

This recommendation is under the following conditions:

- The establishment is renovated to comply with Health Code requirements
- The operator obtain Food Safety Certification
- An odor control system be installed and maintained to prevent cooking odors should nuisance complaints occur.
- The establishment receive a pre-operational inspection before the license is released
- All required applications and fees are submitted to Department as required.
- The establishment must comply with the Town By-Law on the use of artificial Trans-Fats.



# TOWN of BROOKLINE

*Massachusetts*

## BUILDING DEPARTMENT

Daniel F. Bennett  
Building Commissioner

### INTEROFFICE MEMORANDUM

Date: November 13, 2012

To: Mel Kleckner  
Town Administrator

From: Daniel Bennett  
Building Commissioner 

Re: **238 Harvard Street** – Application from Brookline Subway Inc., d/b/a Subway, Bhavesh Patel, Owner, for a Common Victualler License at 238 Harvard Street, with seating capacity of 19 and hours of operation Sunday 8am-9pm, Monday-Friday 7am-10pm and Saturday 8am-10pm. (Your memo dated November 9, 2012.)

The subject business is located in a G-1.75 (CC) Coolidge Corner General Business zoning district. Use of the Premises as a restaurant is permitted per **§4.07, Use #30** of the Town of Brookline Zoning By-Law.

The applicant is reminded that all signs and advertising devices require permits prior to installation and must be approved pursuant to the Zoning By-Law. Although the applicant indicated in their application no renovation work will be performed, it should also be noted that all building, plumbing, gasfitting, wiring and mechanical work requires permits from the Building Department.

If an odor problem occurs as a result of this use an odor control system designed and stamped by a registered professional engineer must be installed with a maintenance and cleaning schedule approved by the Building Department.

The Building Department has no objection with the application from Brookline Subway Inc., d/b/a Subway, Bhavesh Patel, Owner, for a Common Victualler License at 238 Harvard Street, with seating capacity of 19 and hours of operation Sunday 8am-9pm, Monday-Friday 7am-10pm and Saturday 8am-10pm



# TOWN of BROOKLINE

## Massachusetts

### BOARD OF SELECTMEN

BETSY DEWITT, Chairman  
NANCY A. DALY  
JESSE MERMELL  
RICHARD W. BENKA  
KENNETH M. GOLDSTEIN

333 WASHINGTON STREET  
BROOKLINE, MASSACHUSETTS 02445  
(617) 730-2200  
FAX: (617) 730-2054  
[www.townofbrooklinemass.com](http://www.townofbrooklinemass.com)

MELVIN A. KLECKNER  
Town Administrator

December 7, 2012

### TO TOWN MEETING MEMBERS IN PRECINCT 10 AND ABUTTERS

This is to advise you that an application has been received from Brookline Subway, Inc., d/b/a Subway, Bhavesh Patel, Owner, for a Common Victualler License at 238 Harvard Street with hours of operation Sunday 8am-9pm, Monday-Friday 7am-10pm and Saturday 8am-10pm. This location is presently Anna Avtges, d/b/a Subway.

For your information, the Board of Selectmen will consider this application at its meeting on Tuesday, December 18, 2012 at approximately 8:00 P.M. in the Selectmen's Hearing Room, 6th Floor, Town Hall, 333 Washington Street.

  
Town Administrator

cc: Bhavesh Patel

Permit No: LN-2012-0333  
SFD100124

**THE COMMONWEALTH OF MASSACHUSETTS**  
**TOWN OF BROOKLINE**  
Office of the Selectmen

**Common Victualler's License**



This is to certify that the Board of Selectmen hereby Grants a Common Victualler's license to:

Restaurant  
Applicant  
DBA  
ANNA AVTIGES  
SUBWAY  
238 HARVARD ST

be exercised at

until 12/31/2012 and at that place only.

Hours: **Mon-Sun 8am-10pm**

This license is issued under authority of Chapter 140 of the General Laws, and Laws in amendment thereof, and expires on **December 31, 2012**, unless sooner revoked by violation of the Commonwealth respecting the Licensing of Imholders or Common Victuallers.

This license is granted subject to, and conditioned on, the licensee's compliance with all applicable federal, state and local laws, regulations of the licensing authorities, and conditions stated on this license.

Issued: **December 13, 2011.**

Board of Selectmen

Fee: **\$365.00**

Seating Capacity **19**

Outside Seating:

*Conditions: 1. Licensee is responsible for compliance with requirements of the Town Zoning Bylaws with respect to signage. The Town's Planning & Community Development Department is available for consultation and assistance if there is any question related to signage in Brookline. Licensee is responsible for continued compliance for any conditions attached to their property related to a Board of Appeals decision or a Planning Board sign and facade review. The Town's planning & Community Development Department is available for consultation and assistance if there is any question related to conditions attached to any Board of Appeals or Planning Board decision.*

By:

Town Administrator