



CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

MEETING MINUTES

**For Meeting of Wednesday, January 10, 2018 at 3:00 p.m.
Michael J. Lombardi Building, 831 Massachusetts Avenue
Carmelia M. Vicente Basement Level Conference Room**

Meeting Started at 3:05 p.m.

Board of License Commissioners Board Members Present: Nicole Murati Ferrer, Branville Bard, and Gerard Mahoney.

Staff Present: Elizabeth Y. Lint, Executive Director.

Public Testimony Matters:

Although matters were called in the order listed in the posted agenda, some matters required a second call due to the absence of the relevant parties when the matters were called. The matters are in the same order as listed in the posted Meeting Agenda, and if they required a second call, it will be disclosed below.

- 1) **Disciplinary** Parkingway Wines, Inc. d/b/a Supreme Liquors, holder of an All Alcohol Package Store License at 600 Massachusetts Avenue due to an alleged assault (employee on patron) in violation of but not limited to: 204 CMR 2.05(2); M. G. L. c. 138 §§ 23 and 64; and Rules and Regulations of the City of Cambridge Board of License Commissioners 2.5, 2.6, 5.1, and 8.1.

Present: Officer Julio Laracuente, Officer Raymond Pina and Officer Benny Szeto.

Documents Considered by the Board: Hearing notice and attachments thereto, video of incident and file.

Summary: No one appeared on behalf of the licensee at first call (at approximately 3:06 p.m.), or second call at 3:40 p.m. Officers Laracuente, Pina and Szeto presented evidence regarding a fight at Supreme whereby the store clerk punched a patron. The video shows the interaction and there is no indication that the punch was in self-defense. The Officers testified that as of mid-December, the licensee had not taken any disciplinary action as to the employee. The Officers also testified that after the incident, the employee had threatened the patron.

Decision: Based on the evidence presented, the Board issued a 3-day suspension, the Board also added 2-day suspension for the licensee's failure to discipline the employee and appear at the hearing, for a total 5-day suspension.

- 2) **Application** Fernando Costa has applied for a new Cambridge Hackney Driver's License.

Present: Fernando Costa, applicant.

Documents Considered by the Board: Application and documents attached thereto.

Summary: Mr. Costa has a Boston Hackney Driver's License that has never been suspended or revoked. His Massachusetts driver's license also has not been suspended or revoked. He seeks a Cambridge license because business is slow in Boston and he has a friend in Cambridge who is leasing a medallion and he would like to drive for him.

Decision: Granted (3-0).

- 3) **Application** Jean Hilaire Beauciquot has applied for a new Cambridge Hackney Driver's License.

Present: Jean Hilaire Beauciquot, applicant.

Documents Considered by the Board: Application and documents attached thereto.

Summary: Mr. Beaucoquot stated that he has never driven a cab before, but has an agreement with a medallion holder to drive for him. His Massachusetts driver's license has never been suspended.

Decision: Granted (3-0).

- 4) **Application** Marleine Nelson has applied for a new Cambridge Hackney Driver's License.

Present: Marleine Nelson, applicant.

Documents Considered by the Board: Application and documents attached thereto.

Summary: Ms. Nelson is a nursing assistant but currently she is unable to perform the physical demands of the job. She is attempting to get a license to see if she can lease a cab and work. Her Massachusetts license has never been suspended.

Decision: Granted (3-0).

- 5) **Application** Dieudoret Prince has applied for a new Cambridge Hackney Driver's License.

Present: Dieudoret Prince, applicant.

Documents Considered by the Board: Application and documents attached thereto.

Summary: Mr. Prince stated that his father has a taxi in Cambridge and he would like to help him. He has never driven a cab before, and his Massachusetts driver's license has never been suspended.

Decision: Granted (3-0).

- 6) **Review** Chin Management, LLC d/b/a McDonald's, holder of a Common Victualler License at 463 Massachusetts Avenue, in accordance with the Board's vote of July 12, 2017, granting 2:00 a.m. closing.

Present: Vern Chin, applicant.

Documents Considered by the Board: Board's previous decision and file.

Summary: Mr. Chin stated that the extended hours are working out well and he would like the restaurant to operate 24 hours. There have been no problems.

Decision: Board made the 2 a.m. closing hour permanent. Licensee informed that if a 24-hour operation is sought, an application would have to be filed, abutters notified and a hearing needs to be held.

- 7) **Application** Hildebrand Family Self-Help Center has applied for a Lodging House License at 39 Bishop Allen Drive for 7 rooms and 15 occupants.

Present: Shawne Gillies, manager of record, Debra Lovell, and Janella Ruiz, on-site manager.

Documents Considered by the Board: Application and documents attached thereto.

Summary: This is part of the lodging houses located at 41-43 Columbia Street. It has been a lodging house for many years but had not been licensed.

Decision: Granted (3-0), premise description to be amended to add that the location is known as 41-43 Columbia by ISD.

- 8) **Application** Middle East Restaurant, Inc. d/b/a Middle East/Zuzu, holder of a Common Victualler All Alcohol License at 472 Massachusetts Avenue has applied for an Alteration of Premise to include approximately 3,332 SF of additional adjacent space at 10 Brookline Street for a premise description of: First floor: 5 rooms with service bars, staff service areas, 4 stages, 8 bathrooms, kitchen. Basement: 1 room, kitchen, stage, 2 bars, 2 bathrooms. Seasonal outdoor patio on public sidewalk. Approx. 23,600 SF with 6 entrances and 13 exits. Licensed address would encompass 472, 474, and 480 Massachusetts Avenue and 2, 4, 8, and 10-18 Brookline Street.

Present: Attorney Bernard Shadwray, Jr., and Nabil Sater, owner.

Documents Considered by the Board: Application and documents attached thereto, and correspondence and documents submitted in support of the application.

Summary: Extension of the liquor license to the room currently known as Sonia's. The space consists of 1 room on the first floor and within that room 1 stage and 2 bathrooms with a capacity of 350. The space being added used to hold a separate liquor license that was in operation for approximately 30 years. The extension provides additional options for the area and provide a service for the common good.

Decision: Granted (3-0).

- 9) **Application** Cambridge Restaurant Partners, LLC d/b/a Ole, holder of a Common Victualler All Alcohol License at 11 Springfield Street has applied for a Change of Beneficial Interests in said license.

Present: Attorney Andrew Upton.

Documents Considered by the Board: Application and documents attached thereto.

Summary: Attorney Upton stated that this is a change within the ownership. It is going from 95/5 to 79/21, keeping the majority stockholder as the majority holder. There are no other changes to the business.

Decision: Granted (3-0). The Board will add a note to the approval sent to the ABCC that one of the holders (Brush) has two pending applications that affect the answers provided in the current application regarding the interest he holds in other licenses.

- 10) **Application** Abe's Complete Auto Service, Inc. has applied for a Garage License for 10 vehicles and 100 gallons of gasoline in the tanks of autos only at 317 Fresh Pond Parkway. Applicant is also applying for additional flammables storage for 500 gallons of Class 1 and 150 gallons of Class 2 at said address.

Summary & Decision: The applicant did not appear; therefore, the Board took no action on the application.

- 11) **Application** 88 Cambridge Park Limited Partnership has applied for a new garage license at 84 Cambridgepark Drive for 18 spaces.

Present: Ryan Mador, Hanover Construction Company.

Documents Considered by the Board: Application and documents attached thereto.

Summary: This is parking for a new residential building. There will be three buildings in total all of which will be separately licensed.

Decision: Granted (3-0).

Administrative Matters:

All the below listed matters are considered and voted upon by the Board without public testimony. Unless otherwise indicated, all the matters are decided upon by the individual review of the papers/applications before the Board members and each member votes upon the matter. The summary of what is considered by the Board, unless otherwise indicated, is the identifying information of the matter as listed on the agenda.

12) Licensees Who Failed to Renew for 2018:

Emmaslices, Inc.
CDM International Enterprises, LLC
Firebrand Saints, Ltd.
T.T. the Bears Place, Inc.
River Gods, Inc.
Church Street Market, LLC
Algiers Corp.
Eastern End, Inc.
The Just Crust, LLC
Wagamama Boston One, LLC
MKTA, Inc.
The Elephant Walk Restaurant Group, Inc.

Summary: This matter was improperly noticed and listed on the agenda. The licenses referenced did not all fail to renew – some turned in their licensed, some expired, some failed to renew and some were cancelled. All had been addressed/acknowledged in prior meetings in 2017.

Decision: No action taken as all had been addressed in prior meetings.

13) Nookie, LLC, holder of license number ACH10059, has requested to add 12 additional seats in the market area and to remove the to go refrigerators.

Decision: Granted (3-0), ISD approved the increase in capacity.

14) The Cheesecake Factory has notified the License Commission that they are doing some cosmetic renovations and will remain open during renovations.

Decision: Acknowledged (3-0).

- 15) Thai Sensation, Inc. holder of license number 11592-1 has requested to increase the number of seats from 29 to 35.

Decision: Granted (3-0), ISD approved the increase in capacity.

- 16) Out of the Blue Too, holder of license number ANT10005, 541 Massachusetts Avenue, has ceased operating.

Decision: Acknowledged (3-0), file to be closed.

- 17) Chad Bennett, on behalf of John Moriarty and associates, has applied for a special noise variance from February 2 through February 5, from 12:00 PM until 3:00 PM at 88 Ames Street for assembly of a crane.

Decision: Granted (3-0).

- 18) The YMCA, located at 820 Massachusetts Avenue, has notified the License Commission that they will not be renewing their entertainment license for 2018.

Decision: Acknowledged (3-0), file to be closed.

One Day License Applications:

These applications are also considered administratively and there is no public testimony taken or requested. Unless otherwise indicated, all the matters are decided upon by the individual review of the papers/applications before the Board members and each member votes upon the matter. The summary of what is considered by the Board, unless otherwise indicated, is the identifying information of the matter as listed on the agenda. In addition, the documents considered by the Board are the one day application submitted by the applicant and any other supporting document attached thereto. Police detail is required on some based on the recommendation of the signing-off police department.

- 19) Rachel Roccoberton, has applied for a malt and wine license to be exercised at The New Dance Complex, 536 Massachusetts Avenue, on 1/13/18, 1/14/18, 1/20/18, 1/21/18, 1/26/18, 1/27/18, 1/28/17, 2/2/18, 2/3/18, 2/9/18, 2/10/18, 3/16/18, 3/17/18, 3/30/18, 3/31/18, 4/14/18 & 4/15/18 (Fri & Sat 7:00 p.m. – 10:30 p.m. and Sun 6:00 p.m. – 9:30pm) for dance recitals. Expected attendance – 80 people.

Decision: Granted (3-0).

- 20) Jeff Kaufman, on behalf of Boston Intergenerational Dance Advocates, has applied for an entertainment license to be exercised at Cambridge Masonic Hall Association, 1950 Massachusetts Avenue, on 1/21/18, 2/4/18, 2/18/18, 3/4/18 and 3/18/18 from 7:00 p.m. – 11:00 p.m. for a social dance with patrons dancing, recorded/live music and amplification system. Expected attendance – 130 people.

Summary: Applicant requested a fee waiver or reduced fee based on their non-profit status and character of the events. If someone cannot pay, they are not charged admission fee. The purpose is to provide access to all.

Decision: Granted (3-0), as to the license fee, the total fee will be \$50.00 which is the fee for a one day entertainment license.

- 21) [Late submission/addition to agenda] Lamplighter Brewing Co. holder of Common Victualler Malt Beverages license, has applied for an entertainment license to be exercised at 284 Broadway, on 1/17/18 (7:00 p.m. – 9:00 p.m.) & 1/25/18 (8:00 p.m. – 10:00 p.m.) for trivia night/open mic night with amplification system. Expected attendance – 80 people.

Summary: The applicant already has an entertainment license for trivia/live entertainment. However, the area is not zoned for this type of entertainment. When they were provided zoning clearance for the live entertainment it was limited to once per week to make sure it remained accessory and in compliance with zoning. The limitations on zoning were confirmed with the Commissioner of ISD.

Decision: Denied (3-0) as to the request to hold an additional night of trivia on 1/17/18; they can have trivia on any night that week (except Sunday) but only once. Granted (3-0) for the open mic night on 1/25/18 but only if the licensee does not hold trivia or any other live entertainment that week.

- 22) [Late submission/addition to agenda] Bill Manley, on behalf of the Harvard Square Business Association, has applied for an entertainment license to be exercised at Brattle Plaza on 1/27/18 from 1:00 p.m. – 3:00 p.m. for a tasting event with patrons, performers/entertainers dancing and recorded/live music. Expected attendance – 800 people.

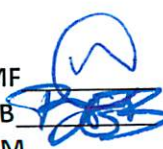
Decision: Deferred (3-0) until 1/24, applicant must submit City permit to use the area.

- 23) Minutes of December 6 and 13, 2017.

Decision: Approved (3-0).

Board's Approval of Minutes:

NMF
BGB
GEM



Date Minutes Approved: 2/3/18

Date Approved Minutes Were Posted: 3/1/18