



CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

MEETING MINUTES

**For Meeting of Wednesday, March 28, 2018 at 3:00 p.m.
Michael J. Lombardi Building, 831 Massachusetts Avenue
Carmelia M. Vicente Basement Level Conference Room**

Meeting Started at 3:01 p.m.

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

Staff Member Present: Elizabeth Y. Lint, Executive Director.

Public Testimony Matters:

1) Disciplinary La Fabrica Central, LLC, d/b/a La Fabrica holder of a Common Victualler All Alcohol License at 450 Massachusetts Avenue, due to alleged violations of: Permitting disorder, disturbance, or illegality on a licensed premise, to wit, Overcapacity, in violation of M. G. L. c. 138 §§ 23 and 64 and Rules and Regulations of the City of Cambridge Board of License Commissioners Rule 9.

Board's Action: Per request of licensee's attorney, the matter was continued to May 9, 2018.

2) Violation Venuto Landscaping, Inc., for alleged violations of Cambridge Municipal Ordinance 8.16.081.2(c) and (f) on November 28, 2017 at 123 Kinnaird Street.

Present: None – accused filed a Waiver of Hearing.

Documents Considered: Hearing notice and documents attached thereto, Waiver of Hearing, Investigator's report, and current file of company.

Summary: The company admitted to the allegations as stated in the hearing notice letter (use of three blowers in less than 10,000 square foot area, and operating without a permit). The company stated that the failure to obtain a permit was an oversight on their part. The record showed that the company has been permitted annually since 2008.

Decision: Board found (3-0) violation on both counts, and issued a warning for operating without a permit; and a \$300 fine for the improper use of multiple blowers.

3) Application Church Street Creole Café, Inc. d/b/a Border Café, holder of a Common Victualler All Alcohol License at 32 Church Street has applied for a Change of Beneficial Interest.

Present: Eila Pereira, applicant.

Documents Considered: Application submitted and documents attached thereto.

Summary: The changes are to the structure of the corporation. Specifically, adding a new President (Elwyn G. Murray) and new Clerk (Michael Quick) and removing Anita Wood. There are no other changes to the operation/business.

Decision: Granted (3-0).

4) Application Turnip, LLC d/b/a Parsnip, holder of a Common Victualler All Alcohol License at 91 Winthrop Street has applied for a Change of Manager to Tamy Tionson.

Present: Anthony Galluccio, attorney for applicant; Tamy Tionson, proposed manager of record.

Documents Considered: Application submitted and documents attached thereto.

Summary: Ms. Tionson is currently the manager of record of Night Market, which is about a block away from this business, run by the same group and has a liquor license. She has had no issues with the local Board or the ABCC. She plans to remain manager of record for both locations and has a front of the house manager that will cover her when she is not at Night Market, and two managers at Parsnip when she is not at that location.

Decision: Granted (3-0).

5) Application Gypsy Café and Juice Bar, LLC has applied for a new Common Victualler License at 90 Hampshire Street with a seating capacity of 20 and proposed hours of 7:00 a.m. to 6:00 p.m. seven days per week. Petya Todorova as proposed manager of record of a premise described as: Approximately 900 SF on ground floor with seating area, storage, kitchen and one restroom.

Board's Action: None. Matter called twice, the applicant did not appear.

6) Application The Mothership Alewife, LLC d/b/a Revival, has applied for a new Common Victualler License at 125 Cambridgepark Drive with a seating capacity of 40 inside, 16 patio seats on private property, occupancy of 96 and proposed hours of 7:00 a.m. to 7:00 p.m. seven days per week. Liza Shirazi as proposed manager of record of a premise described as: Approximately 1436 SF employee cafe space with 4,548 SF kitchen. Outside seating on private property.

Board's Action: None. Applicant withdrew the application prior to the hearing.

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.

7) Continued from 1/24/18 and 2/28/18: Richard Foote, on behalf of Turner Construction, has applied to extend the Special Noise Variance at 25 Hayward Street until April 31, 2018 to work between 6:00 a.m. and 8:00 p.m.

Summary: The matter was improperly noticed. It is a new request, not an extension, to start work before 7 a.m. Turner Construction already submitted and was approved for the variance to work at this location up to 8:00 p.m. The Board received extensive feedback from the residents in the area against any variance, including starting work at 6 a.m. The applicant did not show a need, other than to accommodate their schedule for the need for a variance. The applicant has stated in the past that during "variance hours" they would not perform "noisy" work but have done so.

Decision: Denied (3-0).

8) BBC Catering, Inc. d/b/a Boston Burger Co. is applying for a hawker/peddler license to be exercised every Tuesday between April 2, 2018 and November 23, 2018 at 3rd and Binney Streets.

Decision: Granted (3-0).

9) Patrick Martin, on behalf of Phoenix Communications, has applied for a special noise variance for March 29 through 30, 2018 from 8:00 pm until 4:00 am at Pacific Street and Fulkerson Street for fiber splicing.

Decision: Granted (3-0).

10) Jose Pedro has applied for a one-day alcohol and entertainment licenses on April 7, 2018 from 5:00 to 11:00 pm at St. Anthony's Parish, 400 Cardinal Medeiros Avenue, for a fundraiser.

Decision: Granted (3-0), with amended hours of operation of 5:00 p.m. – 11:30 p.m. and police detail required.

11) Meaghan Fitzgerald on behalf of Da Bomb Truck has applied for a hawker/peddler license at 3rd and Binney streets on Fridays from 7 am to 9 pm April through November 2018.

Decision: Granted (3-0).

- 12) Charlie Moore on behalf of Turner Construction has applied for a special noise variance from April 1, 2018 through June 1, 2018 Monday through Friday from 6 am to 7 am at 145 Broadway for soil removal and steel deliveries.

Summary: Department of Public Works informed the Board that based on its review, the variance did not appear necessary (other than to accommodate the contractor's schedule). Traffic, Transportation and Parking Department had no objection granting the application but deferred to Public Works Department's stance. The hotel, which would be directly affected by the construction during the variance hours, submitted a letter stating that it hoped lines of communications would remain open. An email communication between licensing staff, other City departments and the contractor seemed to indicate that at some point the hotel said it had no objection to the variance (although that was not in the hotel's letter).

Decision: Denied (2-1, Commissioner Bard was the dissenting vote).

- 13) Review of capacity of Lamplighter Brewing, holder of a malt only pub brewery license at 284 Broadway, due to issues raised during the disciplinary hearing held on March 21, 2018.

Documents considered: Floor plan, Inspectional Services Department Certificate of Inspection, and email from Deputy of Fire Prevention Unit.

Summary: Based on the evidence before the Board, the proposed increased capacity in the space is supported by the Fire Code and complies with the safety requirements. Limitations sought on the capacity by Inspectional Services Department are purely based on the Building Code's sanitary provisions and the ratio of the capacity and bathrooms needed.

Decision: Approved (3-0) increase in capacity – front room 160, back room 135, combined maximum capacity can never exceed 200.

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.

- 14) Abraham Lee, has applied for an entertainment license to be exercised at Quincy House Dining Hall, 58 Plympton Street, on 3/30/18 from 8:30 p.m. – 10:30 p.m. for a cultural event with performers/entertainers dancing, recorded/live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 200 people.

Decision: Granted (3-0).

15) Weilu Shen, has applied for a malt and wine license with entertainment to be exercised at Lehman Hall, Dudley House, Harvard University, on 4/7/18 from 7:00 p.m. – 12:00 a.m. for a spring swing/dance party with patrons dancing, recorded/live music and amplification system. Expected attendance – 150 people.

Decision: Granted (3-0), with the conditions that: a limited number of alcoholic drinks be associated with the admission charge, otherwise the alcohol must be sold; and police detail required.

16) Jeff Kaufman, has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 4/1, 4/15, 5/6, 5/20, 6/3, 6/17 & 7/1 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.

Decision: Granted (3-0). As to request for fee waiver/reduction, granted (3-0) a reduction, total license fee will be \$50.

17) Kathryn Caponera, has applied for a malt and wine license with entertainment to be exercised at Harvard Divinity School Braun Room, Andover Hall, 45 Francis Avenue, on 4/22/18 from 6:00 p.m. – 11:00 p.m. for a HDS Charity Ball – dance with patrons dancing, recorded/live music and amplification system. Expected attendance – 150 people.

Decision: Granted (3-0), with the condition that a police detail is required.

18) Kalina Schloneger, has applied for 4 entertainment licenses to be exercised at MIT Wong Auditorium, 70 Memorial Drive, on 4/15, 5/6, 4pm-7pm; 5/12 7pm-11pm & 5/19 Kresge Auditorium, 48 Massachusetts Avenue 7pm-11pm for a concert with recorded/live music and amplification system. Expected up to 400 people.

Decision: Granted (3-0).

19) Efthymios Ioannidis, has applied for a malt and wine license with entertainment to be exercised at MIT, 70 Pacific Street, on 4/8/18 from 1:00 p.m. – 5:00 p.m. for a Greek Easter Feast with patrons dancing, recorded/live music and amplification system. Expected attendance – 350 people.

Decision: Granted (3-0), with the condition that a police detail is required.

20) Jennifer Fries, has applied for a malt and wine license with entertainment to be exercised at Lesley University, Lunder Arts Center, Porter Square, on 4/6/18 from 6:30 p.m. – 10:00 p.m. for a fundraiser with patrons dancing, recorded/live music and amplification system. Expected attendance – 175 people.

Decision: Granted (3-0), with the condition that a limited number of alcoholic drinks be associated with the admission charge, otherwise the alcoholic drinks must be sold. As to the fee waiver request, granted (3-0) as it is an event for the Cambridge Public Schools by one of its partners.

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21) Cassandra Cacoq d/b/a Peston, has applied for a peddler's license to be exercised at Holmes Field, Harvard University, 17 Oxford Street, on 4/7/18 from 12:00 p.m. – 4:00 p.m. to sell home goods, men & women's accessories and jewelry.

Summary: After submitting the application and posting of the agenda, the License Commission was informed that the event had switched locations. The event will now take place at Sinclair, 52 Church Street.

Decision: Granted (3-0).

22) Cheryl Brown, has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 10/2 & 10/7 from 4:00 p.m. – 8:00 p.m. for an educational exhibition with theatrical exhibition/play/moving picture show. Expected attendance – 100 people.

Decision: Granted (3-0).

23) Joede Brown d/b/a Black Pearl Creations, has applied for a peddler's license to be exercised at Holmes Field, Harvard University, 17 Oxford Street, on 4/7/18 from 12:00 p.m. – 4:00 p.m. to sell clothes, jean jackets, dresses and scarves.

Summary: After submitting the application and posting of the agenda, the License Commission was informed that the event had switched locations. The event will now take place at Sinclair, 52 Church Street.

Decision: Granted (3-0).

24) Carl Alleyne, has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 4/29/18 from 1:00 p.m. – 5:00 p.m. for a showcase/reception with patrons, performers/entertainers dancing, recorded/live music and amplification system. Expected attendance – 120 people.

Decision: Granted (3-0).

25) Ming Qiao, has applied for an entertainment license to be exercised at 1000 Massachusetts Avenue, on 3/30/18 from 3:00 p.m. – 4:00 p.m. for an opening ceremony with recorded/live music and amplification system. Expected attendance – 40 people.

Decision: Granted (3-0).

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26) Raheem Perkins d/b/a Rauthentic Arts has applied for a peddler's license to be exercised at Holmes Field, Harvard University, 17 Oxford Street, on 4/7/18 from 12:00 p.m. – 4:00 p.m. to sell art work, clothing and music.

Summary: After submitting the application and posting of the agenda, the License Commission was informed that the event had switched locations. The event will now take place at Sinclair, 52 Church Street.

Decision: Granted (3-0).

27) German Soto, has applied for an entertainment license to be exercised at MIT Walker Memorial, 142 Memorial Drive, on 4/7/18 from 7:00 p.m. – 10:00 p.m. for a dance showcase with performers/entertainers dancing. Expected attendance – 400 people.

Decision: Granted (3-0).

28) Lovern Gordon, has applied for a peddler's license to be exercised at Holmes Field, Harvard University, 17 Oxford Street, on 4/7/18 from 12:00 p.m. – 4:00 p.m. to sell sports apparel.

Summary: After submitting the application and posting of the agenda, the License Commission was informed that the event had switched locations. The event will now take place at Sinclair, 52 Church Street.

Decision: Granted (3-0).

29) Steve Postal, has applied for a malt and wine license to be exercised at Lunder Arts Center, 1801 Massachusetts Avenue, on 4/6/18 from 6:30 p.m. – 10:00 p.m. for a fundraising event. Expected attendance – 150 people.

Decision: Granted (3-0), with the condition that there be a limited number of alcoholic drinks associated with the admission charge, otherwise the alcohol must be sold.

30) Lydia Albano, on behalf of Aletheia Church, has applied for a one-day amusement license (Bouncy house) to be exercised at Riverside Press Park, 2 Blackstone Street, on 3/31/18 from 10:00 a.m. – 1:00 p.m.

Decision: Granted (3-0), with amended hours of 8:00 a.m. – 1:00 p.m. to be in line with the park permit.

31) Cynthia Hargrove, has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 5/19/18 from 8:00 p.m. – 1:00 a.m. for a party with patrons dancing and amplification system. Expected attendance – 300 people.

Decision: Granted (3-0), with the condition that there must be a police detail from 9:00 p.m. – 1:00 a.m. as requested by Sgt. Kale.

32) Francesca Noelette, has applied for an entertainment license to be exercised at Student Organization Center at Hilles (SOCH), 59 Shepard Street, on 3/30/18 from 10:00 p.m. – 2:00 a.m. for a party with patrons dancing and recorded/live music. Expected attendance – 300 people.

Decision: Granted (3-0), with the condition that a police detail is required.

33) **[Late submission/addition to the agenda]** Ayesha Wright, has applied for a one-day peddler license to be exercised at Harvard Law School on 4/7/18 from 12:00 p.m. – 4:00 p.m. and 6:00 p.m. – 9:00 p.m. to sell greeting cards, wrapping paper and t-shirts.

Decision: Granted (3-0).

34) **[Late submission/addition to the agenda]** Andrea Reed, has applied for a one-day peddler license to be exercised at the Sinclair on 4/7/18 from 11:00 a.m. – 4:00 p.m. to sell handcrafted jewelry.

Decision: Granted (3-0).

35) **[Late submission/addition to the agenda]** Stanley Chan, on behalf of Bon Me Foods, LLC has requested a one-day amendment to its peddler's license to vend at MIT on 4/5/18 from 7:45 p.m. – 9:30 p.m.

Decision: Granted (3-0).

36) **[Late submission/addition to the agenda]** Aristides Karalis, has applied for a one-day wine and malt with entertainment license to be exercised at MIT Student Center on 3/31/18 from 7:00 p.m. – 1:00 a.m.

Decision: Granted (3-0).

37) **[Late submission/addition to the agenda]** Kavey Gill, on behalf of the Association of Black Harvard Women, has applied for a one-day entertainment license for recorded/live music with amplification to be exercised at North West Labs Function Space on 4/6/18 from 10:00 p.m. – 2:00 a.m.

Decision: Granted (3-0).

Board's Approval of Minutes:

NMF

BGB

GEM

Date Minutes Approved: 4/25/18

Date Approved Minutes Were Posted: APR 25 2018