



CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

MEETING MINUTES

For Meeting of Wednesday, May 9, 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 G. Bard, and Gerard E. Mahoney.

Staff Member Present: Elizabeth Y. Lint.

Public Testimony Matters

1. Disciplinary La Fabrica Central, LLC, d/b/a La Fabrica, 450 Massachusetts Avenue, holder of Common Victualier All Alcohol License #11593, 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.

Present: William Kelley, attorney; Nivia Pina, owner and manager of record; Renato Rodriguez, staff; Andrea Boyer, Chief Licensing Investigator; Deputy Chief Peter Donovan; and Brian McMahon, Inspectional Services Department Inspector.

Documents considered by the Board: Hearing notice, reports, and file.

Summary: On February 9, 2018, a Task Force Inspection was conducted of the premises. A count was conducted and it was found that there were 65 persons in the front room, 44 persons in the middle room, and 211 persons in the back room. The front room was over capacity by 24 persons. One of the egress points in the back room was obstructed. Specifically, it was found that the exit point from the back room through the kitchen to the outside was blocked by furniture. The area was being used as storage for furniture removed from the middle and back rooms. The furniture was stacked more than six feet high and could easily fall over and further block the exit way. The hood was not in compliance, and a fire extinguisher was missing its tag and was not properly secured on the wall. The blocked egress, hood and fire extinguisher violations were found to be corrected on February 21, 2018.

Mr. Renato Rodriguez testified they now have security come in earlier than before to assist with the monitoring of the premises and the crowd. There are also now three persons inside the premises to monitor capacity. Each person is designated a specific room and must keep count of that room. These persons are in addition to the security personnel outside the premises which also maintain a count of the premises and other security personnel inside the premises which monitor other factors. They have been more proactive about requesting police details when they expect large crowds. In addition, both Ms. Piña and Mr. Rodriguez testified that the furniture is no longer stored in the exit way and is now stored in the basement.

Decision: Violation (3-0) for overcrowding and blocked egresses, issued 1-day violation.

2. Application Bertucci's Restaurant Corp., 5 Cambridgepark Drive, holder of Common Victualler All Alcohol License #11331, has applied for a Change of Manager to Thierry Belluche.

Present: Thierry Belluche, proposed manager of record.

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

Summary: Mr. Belluche has never been the manager of record but has extensive experience in the food and beverage industry. He is TIPS certified and has his Safe Serve certificate.

Decision: Granted (3-0).

3. Application Tria Cambridge Concessions, LLC d/b/a Freepoint Hotel, 220 Alewife Brook Parkway, holder of Common Victualler All Alcohol License #11569, has applied for a Change of Manager to Jeffrey Sellers.

Summary & Decision: No action – per applicant's request, matter moved to May 23, 2018.

4. Application Amorino Gelato JFK, LLC d/b/a Amorino, has applied for a new Common Victualler License at 50 JFK Street a seating capacity of 14 inside and occupancy of 20. The proposed hours are 9:00 a.m. to 12:00 a.m. Sunday through Wednesday and 9:00 a.m. to 1:00 a.m. Thursday through Saturday. Lea Sasportes as proposed manager of record of a premise described as: Approximately 1200 square feet with seating area, kitchen, and bathroom. Second floor office space.

Present: Ryan Gazea, attorney for applicant; Lea Sasportes, applicant.

Documents considered by the Board: Application and documents attached thereto; menu provided at hearing.

Summary: This is a franchise operation that is meant as a sit-down gelato, waffles, macaroons, pastries and crepes operation.

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.

Present: Sayed Nousawi, owner.

Documents considered by the Board: Application and documents attached thereto; menu provided at hearing.

Summary: Small, specialty café in Inman Square. Will offer espresso, salads and cold food preparation. Will also have a smoothie and juicer station. The floor plan submitted did not properly reflect the capacity of the premises.

Decision: Granted (3-0) pending submission of BZA decision and submission of architectural plan with capacity. Occupancy and capacity will not be determined until new floor plan is submitted.

6. Application Marie Semeé has applied for a new Cambridge Hackney Driver's License.

Present: Marie Semeé, applicant; Serge Dorcelus, applicant's boyfriend and possible future employee; and Anthony Gargano, member of the public who spoke in support of application.

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

Summary: Ms. Semeé wants to become licensed so that she can purchase a medallion and have her boyfriend, Mr. Serge Dorcelus, drive the vehicle. Her driving record is excellent.

Decision: Granted (3-0).

7. Application Hearing Continued from April 25, 2018. Enterprise Rent-A-Car Company of Boston, LLC d/b/a Enterprise Rent-A-Car, has applied for a Letting of Motor Vehicles License for 42 vehicles at 100 Cambridgeside Place.

Present: Becky Marcinkevich, applicant's representative.

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

Summary: Matter was heard on April 25, 2018, but it was deferred because the newspaper printed the ad incorrectly. The matter was left open to allow residents to speak on the petition. No one appeared at the hearing.

Decision: Granted (3-0), need to provide name of manager upon hiring otherwise license will issue with Ms. Marcinkevich as manager of record.

8. Application Cambridge Cab Company, Inc. d/b/a Cambridge Cab Company, has applied for a new Dispatch Association Permit at 151 Cambridge Street.

Present: Anthony Gargano, attorney; Jennifer Silva, owner; and Joseph Silva, employee.

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

Summary: Dispatch company that will service any taxi that signs up with their service. It is meant to allow people to book online or via phone. "Like Uber but for taxis." Mr. Silva has over 30 years of experience in the hackney industry including driving taxis and dispatching. Ms. Silva intends to apply for a hackney license as well.

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.

8. Meeting Minutes for the hearing of April 11, 2018.

Decision: Approved (3-0).

9. The License Commission has received Notice of Accepted Offer in Compromise from the Alcoholic Beverages Control Commission regarding an Offer in Lieu of Suspension of the Alcohol License for La Fabrica Central, LLC, 450 Massachusetts Avenue, Lic. # 11593, for the violation of October 26, 2017.

Decision: Acknowledged (3-0).

10. The License Commission has received Notice of Accepted Offer in Compromise from the Alcoholic Beverages Control Commission regarding an Offer In Lieu of Suspension of the Alcohol License for La Fabrica Central, LLC, 450 Massachusetts Avenue, Lic. # 11593, for the violation of September 21, 2017.

Decision: Acknowledged (3-0).

11. The New Dance Complex, 536 Massachusetts Avenue, holder of Entertainment License # 11133, has requested an exception to their Entertainment License to allow for nudity for an event to be held on June 22 and June 23, 2018.

Decision: Granted (3-0).

12. 1634 Meadery, FW-104, has applied as an approved Farmer Winery to sell at an approved agricultural event, Kendall Center Farmer's Market, on Wednesdays from May 16 to October 24 of 2018.

Decision: Granted (3-0).

13. Various updates to Harvard University Garages/Open Air Parking Lots submitted during renewals (list attached).

Decision: Granted/Acknowledged (3-0).

14. DMG Food Enterprises, LLC d/b/a 730 Tavern Kitchen + Patio, holder of Common Victualler All Alcohol License #11613, has applied to open at 8:00 a.m. from June 14 to July 15 for World Cup Soccer Games broadcasted in the morning.

Decision: Granted (3-0).

15. Renewal application for ARE-Tech Square, LLC, 500 Technology Square, Flammable License #14502, seeks to add 850 gallons of Class III combustible liquids in accordance with the current Flammable Materials Permits issued by the Cambridge Fire Department.

Decision: Granted/Acknowledged (3-0).

16. Renewal application for ARE-Tech Square, LLC, 400 Technology Square, Flammable License # 14490, seeks to add 195 gallons of Class III combustible liquids, 16 pounds of flammable solids, and 112 cubic feet of flammable gases in accordance with the current Flammable Materials Permits issued by the Cambridge Fire Department.

Decision: Granted/Acknowledged (3-0).

17. Renewal application for ARE-Tech Square, LLC, 100 Technology Square, Flammable License # 14489, seeks to add 230 gallons of Class III combustible liquids in accordance with the current Flammable Materials Permits issued by the Cambridge Fire Department.

Decision: Granted/Acknowledged (3-0).

Administrative Matters Submitted After Agenda Posted

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18. Francine LaChance, on behalf of Grolier Poetry Foundation and Forums trust, has applied for a one day entertainment license on May 19, 2018, with a rain date of June 2, 2018, from 12 noon until 8:00 pm at 6 Plympton Street, for a poetry festival and street fair.

Decision: Granted (3-0).

19. Dan Clapp, on behalf of 1634 Meadery, has applied for a Farmer Winery license to sell at the Kendall Center Farmer's Market on Wednesdays from May 16, 2018 through October 31, 2018, 11:00 am until 6:00 pm.

Decision: No vote – duplicate item (see #12).

20. RiceBurg, holder of Hawker/Peddler license number 14116-1, has applied to add Central Flea to their existing license every Sunday starting on May 6, 2018, from 10:00am until 6:00pm.

Decision: Granted (3-0).

21. Rafael Rodriguez Jr., on behalf of JW Shaughnessy, has applied for a special noise variance on May 12, 2018 from 7:00am until 9:00am at 60 Binney street for crane driving and pickup trucks moving road barriers.

Decision: Granted (3-0).

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.

18. Melissa Mirick, on behalf of the March of Dimes, has applied for an entertainment license to be exercised at North Point Park, 6 Museum Way, on 5/12/18 from 6:00 a.m. – 1:00 p.m. for a walk with recorded/live music and amplification system. Expected attendance – 4000 people. [Approved by Special Events Committee]

Decision: Granted (3-0), pending OAF permit is submitted, and with condition that police detail is required.

19. Angel Marr, has applied for an all alcohol license to be exercised at Workbar, 45 Prospect Street, on 5/16/18 from 6:30 p.m. – 9:00 p.m. for a fundraiser, The Soldiers Fund. Expected attendance – 150 people.

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

20. Sophia Grogan, has applied for a malt license with entertainment to be exercised at 110 Brookline Street, on 5/19/18 from 2:00 p.m. – 6:00 p.m. for an open studio/concert/community event with patrons dancing, recorded/live music and amplification system. Expected people over 100.

Decision: Denied (3-0), based on the Fire Department's determination that building is not safe.

21. Howard Shrobe, has applied for an entertainment license to be exercised at MIT Kresge Auditorium, 48 Massachusetts Avenue, on 5/20/18 from 2:00 p.m. – 7:00 p.m. for a concert fundraiser with recorded/live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 500 people.

Decision: Granted (3-0).

22. Joseph Baylon, has applied for a malt and wine license to be exercised at MIT Museum, 265 Massachusetts Avenue, on 5/29/18 from 6:00 p.m. – 9:00 p.m. for talks and posters session. Expected attendance – 320 people.

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

23. Clemens Teufel, has applied for an entertainment license to be exercised at Longy School of Music, 27 Garden Street, on 5/22/18 from 6:30 p.m. – 10:30 p.m. for a concert with recorded/live music. Expected attendance – 281 people.

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

24. Andrea Campbell, has applied for an entertainment license to be exercised at MIT Kresge Auditorium, 48 Massachusetts Avenue, on 6/16/18 from 8:00 p.m. – 10:00 p.m. for a concert with performers/entertainers dancing and recorded/live music. Expected attendance – 400 people.

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

25. Patricia Lu, has applied for an entertainment license to be exercised at MIT, 48 Massachusetts Avenue, on 5/10 8:00 p.m.-10:00 p.m.; 5/11 7:00 p.m. – 9:00 p.m. & 10:00 p.m.-12:00 a.m.; 5/12 1:00 p.m. – 3:00 p.m. & 4:00 p.m. – 6:00 p.m. for a dance performance with performers/entertainers dancing, recorded/live music and amplification system. Expected attendance – 120 people.

Decision: Granted (3-0).

26. Darnell Granberry, has applied for an entertainment license to be exercised at MIT Student Center, 84 Massachusetts Avenue, on 5/16, 5/17 6:00 p.m.-8:00 p.m., 9:00 p.m. – 11:00 p.m. for a dance performance with performers/entertainers dancing, recorded/live music, amplification system, light show and dynamic audio/visual show live/recorded. Expected attendance – 400 people.

Decision: Granted (3-0).

27. Amy Hatzigiannis, has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 6/16/18 from 4:30 p.m. – 10:30 p.m. for a party with patrons dancing, recorded/live music and amplification system. Expected attendance – 80 people.

Decision: Granted (3-0).

28. Eric Propp, has applied for a malt license to be exercised at The Garment District, 200 Broadway, on 5/17/18 from 6:00 p.m. – 9:00 p.m. for a customer appreciation event. Expected attendance over 100 people.

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

Applications Received after Posting of Agenda

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.

29. Brian McIney, on behalf of Barletta Heavy Division, has applied for a special noise variance from May 15, 2018 through July 15, 2018, weekdays only from 10:00pm until 6:59am at 1400 Massachusetts Avenue for a trailer truck, walk behind bobcat, 15-ton mini crane and pick-up trucks.

Decision: Granted (3-0).

30. Brian McIney, on behalf of Barletta Heavy Division, has applied for a special noise variance from May 15, 2018 through July 15, 2018, weekdays only from 10:00pm until 6:59am at 640 Massachusetts Avenue for a trailer truck, walk behind bobcat, 15-ton mini crane and pick-up trucks.

Decision: Granted (3-0).

31. Matt Burnham, on behalf of McCourt Construction Co., has applied for a special noise variance from May 14, 2018 through June 24, 2018, weekdays only from 7:00pm until Saturday at 6:00am at 389 Binney Street for excavator trucks, compactors, generators, light plants, hoe-ram and saws.

Decision: Granted (3-0).

32. Jason Alves, on behalf of the East Cambridge Business Association, has applied for a one-day alcohol and entertainment license on May 20, 2018 from 12:00pm until 4:00pm in Inman Square for Inman Eats with 3000 expected. This has been approved by special events.

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

33. Juliana Lyman, on behalf of the Cambridge Licensee Advisory Board, has applied for a one-day alcoholic beverages license on July 10, 2018 from 5:30pm until 8:30pm (with a rain date of July 12, 2018) for the Taste of Cambridge Fundraiser with 3000 expected. This has been approved by Special Events.

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

34. Ankica Koldzic, on behalf of Grachanista Folklore Ensemble at St. Sava, has applied for a one-day wine and malt license on May 12, 2018 from 6:30pm until 12:00am at 41 Alewife Brook Parkway for a fundraiser with 150 expected.

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

35. Kailey Fitzgerald, on behalf of the Harvard Alumni Association, has applied for a one-day alcohol and entertainment license on May 17, 2018 from 6:00pm until 8:45pm for a senior week event at the Radcliffe Quad with amplified sound and 150 expected.

Decision: Granted (3-0).

36. Kailey Fitzgerald, on behalf of the Harvard Alumni Association, has applied for a one-day alcoholic beverages license on May 23, 2018 from 12:00pm until 4:00pm at 1 Oxford Street for class day, with 2000 expected.

Decision: Granted (3-0).

37. Scott Everton, on behalf of Solar Flair, has applied for a hawker/peddler license for Central Flea, Sundays from May 6 through October 28, 2018, to sell sunglasses and frames.

Decision: Granted (3-0).

38. Matt DiMartino, on behalf of J.F. White Contracting Company, has applied for a special noise variance from May 14 through December 31, 2018 Monday through Friday from 6:00pm until 10:00pm and Saturday 7:00am to 9:00am and 6:00pm to 8:00pm at Talbot Street, for air compressors, excavators and loaders.

Decision: Granted (3-0), pending applicant's signature is received (or email confirming information is accurate).

39. Shannon Finley, on behalf of friends of the Morse School, has applied for a one-day amusement permit on May 20, 2018 from 12:00pm until 4:00pm at 40 Granite Street.

Decision: Granted (3-0); also granted the hawker/peddler for same time and location.

40. Rebecca Carpenter has applied for a hawker/peddler license for Central Flea, from May 13 through October 27, 2018.

Decision: Granted (3-0).

41. Francine LaChance, on behalf of Grolier Poetry Foundation, has applied for a one-day hawker/peddler license on May 19, 2018 on Plympton Street. (has also applied for one-day entertainment.)

Decision: Granted (3-0).

42. First Ipswich Bank, as secured party, has notified the License Commission of their intent to transfer Medallion Number 07 and 145 to Gold Transport, Inc.

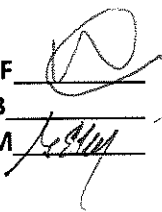
Decision: Acknowledged (3-0).

43. Erika Gauthier applied for three Malt and Wine Licenses to be exercised at Novartis on: May 14, 5:00 p.m. – 7:00 p.m., 175 people expected; May 15, 2018, 5:30 p.m. – 7:00 p.m., 150 people expected; and May 17, 2018, 4:00 p.m. – 6:00 p.m., 150 people expected.

Decision: Granted (3-0).

Board's Approval of Minutes:

NMF
BGB
GEM



Date Minutes Approved: MAY 23 2018

Date Approved Minutes Were Posted: MAY 24 2018