CAMBRIDGE LICENSE COMMISSION HEARING CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR NICOLE MURATI FERRER

INTERIM POLICE COMMISSIONER BRENT B. LARRABEE

AT: Michael J. Lombardi Building Carmelia M. Vicente Conference Room 831 Massachusetts Avenue Cambridge, Massachusetts 02139

DATE: July 26, 2017

TIME: 3:00 p.m.

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PROCEEDINGS

<u>July 26, 2017, 3:00 p.m</u>

CHAIR NICOLE MURATI FERRER: We are going to start now.

Good afternoon. This is the meeting of the License Commission, Wednesday, July 26, 2017. It is 3:00 p.m. We are in the 831 Massachusetts Avenue, Carmelia Vicente Conference Room. We are going to start with John's Landscape Service. I'm sorry. We are being audio and tape recorded.

With us is Brent Larrabee and myself Nicole Murati Ferrer.

We'll start with John's Landscape

Service -- anyone here for John's Landscape

Service? That matter has been continued to

August 9, 2017.

VIOLATION: P&C LANDSCAPING

matter on the agenda, violation, P&C Landscaping, holder of a leaf blower permit 10023, for alleged violation of Cambridge Municipal Ordinance 8.16.081.2 (a), operating during a prohibited period on June 30, 2017 at 145 Brattle Street.

Please come up. And if you can stay standing up for a second. And Mr. Headley, if you can stand up as well.

If you are going to testify, if you can raise your right hand.

(Parties sworn)

CHAIR NICOLE MURATI FERRER: Please state your names for the record.

PAUL CARUSO: Paul Caruso.

JOHN CARUSO. John Caruso.

CHAIR NICOLE MURATI FERRER: Can you spell them for the record?

PAUL CARUSO: C-A-R-U-S-O.

JOHN CARUSO. John Caruso. Same last spelling.

HENDERSON HEADLEY: My name is Henderson Headley. Cambridge License investigator.

CHAIR NICOLE MURATI FERRER: Can you spell it for the record.

HENDERSON HEADLEY: Henderson

H-E-N-D-E-R-S-O-N Headley H-E-A-D-L-E-Y.

CHAIR NICOLE MURATI FERRER: Thank you.

Go ahead.

HENDERSON HEADLEY: This complainant called Cambridge police and stated that the employees of P&C Landscaping used leaf blowers on June 30, 2017 at approximately 2:17 p.m. at 145 Brattle Street, Holy Trinity Armenian Church in violation of the Cambridge Municipal Code as it

relates to operating during prohibited period.

Complainant could not be notified, did not give Cambridge police contact information.

Holy Armenian Church notified that representatives called and stated the company has worked for them over 25 years and is wonderful.

They claim they have a constant problem from complainant that lives next door that calls about everything and they have tried to be good neighbors to them.

P&C Landscaping previous violations, there were no previous hearing violations. No previous warning letters.

CHAIR NICOLE MURATI FERRER: Thank you.

Mr. and Mr. Caruso?

PAUL CARUSO: We were there that day, and as it states in the thing, we never use any blowers in the parking lot. I hand swept the whole place but there was a lot of noise in the

neighborhood.

There was a tree company and Feeney
Brothers has a compressor running and another
tree company with a chipper running all day
there. There was a lot of noise there, but we
hand swept that whole place.

Like I said, we never used any hand blowers over there. We didn't used them in the parking lot. I hand swept the parking lot the whole time.

CHAIR NICOLE MURATI FERRER: Questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I have no questions.

CHAIR NICOLE MURATI FERRER: Okay. Based on the evidence presented to us today, I would vote no violation.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: I agree.

CHAIR NICOLE MURATI FERRER: No

violations.

Thank you.

PAUL CARUSO: Thank you.

JOHN CARUSO: Thank you.

PAUL CARUSO: Are we all set?

CHAIR NICOLE MURATI FERRER: You are all set.

PAUL CARUSO: Have a good day.

VIOLATION: R&S LANDSCAPING

CHAIR NICOLE MURATI FERRER: Next matter on the agenda, R&S Landscaping, holder of leaf blower permit 10037 for alleged violations of Cambridge Municipal Ordinance 8.16.081.2 (b), operating before permitted time, on June 8, 2017 at approximately 7:30 a.m. at 99-123 Kinnaird Street on July 12, 2017 at approximately 7:30 a.m. in the Cambridge Common.

Please raise your right hand.

(Parties sworn)

CHAIR NICOLE MURATI FERRER: You may sit down.

EDWARD RUDOLPH: I own the company and in years past.

CHAIR NICOLE MURATI FERRER: Could you please state and spell your name for the record?

EDWARD RUDOLPH: Edward Rudolph

R-U-D-O-L-P-H.

CHAIR NICOLE MURATI FERRER: And for the record Henderson Headley. And we'll start with Mr. Headley.

HENDERSON HEADLEY: We received an anonymous complaint that stated leaf blowers were being used at 99 to 123 Kinnaird Street at 7:30 a.m. in violation of Cambridge Municipal Code operating before permitted time.

Additionally, Councillor Jan Devereux

stated that on July 12, 2017, she saw an R&S employee using a leaf blower at the Cambridge Common at 7:30 a.m. before the allowable time, which is in violation of Cambridge Municipal Code. It was updated with current date and Councillor Devereux was notified.

R&S Landscaping previous violations, two of them, November 18 and December 9 of 2016.

CHAIR NICOLE MURATI FERRER: Thank you.

Mr. Rudolph?

EDWARD RUDOLPH: These particular mornings -- first of all, 7:30 in the morning, I thought we were okay at 7:30 in the morning as long as we weren't making any noise.

So what I've done now is I just make the guys start at 8:00 every morning from now.

Nobody comes into the City of Cambridge until 8:00 in the morning.

That eliminated that.

As far as the blower, it was a hand-held electric blower, which has very little noise and I thought that was okay to use. I went through the ordinance myself and I eliminated part of the tools, so they are not even using that anymore.

The reason why we use this is because there's so much sand. The kids are in the tot boxes all the time and the stuff is all blowing all over the place and it is just too much work.

It was electric. I went out and bought something with a low volume to try and help alleviate the tension from the city and also make it a little easier for the guys. I took it right out of the --

CHAIR NICOLE MURATI FERRER: Well, you can use the electric one.

EDWARD RUDOLPH: That's what it was.

CHAIR NICOLE MURATI FERRER: You just

can't use it until 8 a.m.

EDWARD RUDOLPH: Oh, you can use the electric one?

CHAIR NICOLE MURATI FERRER: As of 8:00 a.m., you may use the electric one.

EDWARD RUDOLPH: At 8:00. We will not be in the city until 8:00.

CHAIR NICOLE MURATI FERRER: The problem here wasn't the type of blowers you were using.

It was that you were using them before 8:00, which is the permitted time pursuant to the ordinance.

EDWARD RUDOLPH: Well that's my fault and I apologize for that.

CHAIR NICOLE MURATI FERRER: And now, remember, that we are in a season where you can't use leaf blowers until September 16.

EDWARD RUDOLPH: Can I use the electric?

CHAIR NICOLE MURATI FERRER: Yes.

Absolutely. The electric, the battery operated.

EDWARD RUDOLPH: I don't even have the backpacks in the trucks.

CHAIR NICOLE MURATI FERRER: You can use them. It's just that you were using them at the wrong time.

EDWARD RUDOLPH: At 7:30. I apologize for that. But from now on 8:00 in the morning. I beg forgiveness. I'm sorry about that.

CHAIR NICOLE MURATI FERRER: Any questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Previous violations?

HENDERSON HEADLEY: Previous violations were two, November 18 and December 9, 2016.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: For?

What were the violations for?

EDWARD RUDOLPH: We were doing fall

clean-ups and the guys aren't supposed to be within 10,000 feet of each other. They were probably about 6 or 7,000 feet. It was a big pile of leaves. That's all it was for.

CHAIR NICOLE MURATI FERRER: There was also a warning letter for using during a prohibited time. I would vote violation \$300 fine for both. For each.

What were you thinking?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I agree with that.

CHAIR NICOLE MURATI FERRER: Okay. So violation, \$300 fine. You will receive a statement of reasons.

EDWARD RUDOLPH: Thank you very much.

VIOLATION: BRIGHTVIEW LANDSCAPE SERVICES

CHAIR NICOLE MURATI FERRER: Violation,
Brightvview Landscape Services, holder of a leaf

blower permit 10043, for alleged violations of Cambridge Municipal Ordinance 8.16.081.2(a), operating during prohibiting period and 8.16.081.2(b), operating before permitted time, on June 28, 2017 at approximately 7:45 a.m. on 55 Langdon Street.

(No response.)

CHAIR NICOLE MURATI FERRER: Brightview Landscapes?

(No response.)

CHAIR NICOLE MURATI FERRER: Second call.

VIOLATION: BELMONT LANDSCAPING

CHAIR NICOLE MURATI FERRER: Violation,
Belmont Landscaping, holder of a leaf blower
permit 10056, for alleged violation of Cambridge
Municipal Ordinance 8.16.081.2(a), operating
during a prohibited period, on June 17, 2017 at
or near 87 Fawcett Street.

(No response.)

CHAIR NICOLE MURATI FERRER: Belmont

Landscaping?

(No response.)

CHAIR NICOLE MURATI FERRER: Second call.

VIOLATION: E.C. HATHAWAY & ASSOCIATES

CHAIR NICOLE MURATI FERRER: Violation,

of Cambridge Municipal Ordinances 8.16.081.2(a),

E.C. Hathaway & Associates for alleged violations

operating during a prohibited period and

8.16.081.2(c), operating without a permit, on

June 23, 2017 at 173 Brattle Street.

(No response.)

CHAIR NICOLE MURATI FERRER: E.C.

Hathaway?

(No response.)

CHAIR NICOLE MURATI FERRER: Second call.

VIOLATION: EATON HORTICULTURAL LANDSCAPE

CHAIR NICOLE MURATI FERRER: Violation,

Eaton Horticultural Landscape, holder of a leaf
blower permit 10007, for alleged violations of

Cambridge Municipal Ordinance 8.16.081.2(a),

operating during a prohibited period,

8.16.081.2(b), operating before permitted time,

and 8.16.081.2(f), using multiple leaf blowers,

on June 23, 2017 at approximately 7:45 a.m. at

10 Fawcett Street, and on June 29, 2017 at 10

Fawcett Street.

Please raise your right hand?

(Party sworn.)

CHAIR NICOLE MURATI FERRER: Thank you.

If you can please state and spell your name for the record.

BEN WIGGIN: Ben Wiggin W-I-G-G-I-N.

CHAIR NICOLE MURATI FERRER: W-I-G-G-I-N?

BEN WIGGIN: Yes.

CHAIR NICOLE MURATI FERRER: "Ben" you said?

BEN WIGGIN: Ben.

CHAIR NICOLE MURATI FERRER: Thank you.

HENDERSON HEADLEY: Complainant Paul
Cohen called alleging that Eaton Horticultural
employees were using two leaf blowers on
June 23, 2017 at approximately 7:45 a.m. at 10
Fawcett Street in violation of the Cambridge
Municipal Code operating during prohibited time,
operating before permitted time, and using
multiple blowers less than 10,000 square feet
apart.

Additionally, the complainant called Cambridge police alleging that Eaton

Horticultural employees used leaf blowers on June 29, 2017 at approximately 3:45 p.m. at

10 Fawcett Street in violation of Cambridge

Municipal Code operating during a prohibited

time.

Also the call report, according to the officer, also mentioned Eaton Horticultural Landscape in their report. The complainant may not be able to attend.

Eaton Horticultural Landscape, previous violations, there were no previous violations and there was a warning letter sent April 26, 2016 (sic) to get permitted.

 $I'm\ sorry.\ I\ would\ like\ to\ read\ --\ there$ were two email letters that were sent out and I would like to read them in for the record.

CHAIR NICOLE MURATI FERRER: They are from?

HENDERSON HEADLEY: They are from P. Cohen dated Monday (sic) 26, 2017.

CHAIR NICOLE MURATI FERRER: This is the

complainant?

HENDERSON HEADLEY: Yes.

CHAIR NICOLE MURATI FERRER: Go ahead.

HENDERSON HEADLEY: "I'm Paul Cohen and reside at 80 Fawcett Street in Cambridge,
Massachusetts.

On Friday, June 23, 2017, and at or about 7:45 a.m., I did call Cambridge License Commission to report a violation of city leaf blower ordinance.

In my call, I stated that offending party was located at or near 10 Fawcett Street, the property adjacent to my apartment building.

During my call, I approached one of the men who was at the time using a leaf blower and asked to speak with his boss. The party refused to identify his employer but the logo on his shirt did read 'Eaton Horticultural Landscaping' or some iteration thereof.

For reference, subsequent to, and as a direct consequence of the use of the leaf blowers, I did suffer a prolonged asthma attack."

That was one letter.

And there's another letter sent. I would like to read it in the record as well.

This letter was sent Thursday, June 29, 2017, at 4:20 p.m.

CHAIR NICOLE MURATI FERRER: Also from Mr. Cohen?

HENDERSON HEADLEY: Also from Mr. Cohen.

It states "Good afternoon" -- actually, let me start right from the body of the email.

"My name is Paul Cohen and I reside at 80 Fawcett Street in Cambridge, Massachusetts.

On Thursday, June 29, 2017, at about 3:45 p.m., I did witness at least one worker from Eaton Horticultural Landscape using a leaf blower at or near 10 Fawcett Street.

I politely asked the worker to stop using his leaf blower but he refused and told me to call the police.

Based on his actions, and at his behest,

I did call the Cambridge Police Department to

report the violation.

While I waited for the police to respond to my call, the offending party purposefully directed his leaf blower at my face and body and covered me in dirt and debris.

Shortly thereafter, a uniformed officer did advise the worker that leaf blowers are not allowed after June 15. For reference, subsequent to, and as a direct consequence of the use of the leaf blower, I did suffer a prolonged asthma attack."

CHAIR NICOLE MURATI FERRER: Thank you.

Mr. Wiggin?

BEN WIGGIN: We have been in business for

20 years. I read both those emails because I requested them.

I have never had an issue with leaf blowers or disrespectful employees with leaf blowers being pointed at people or directly blowing stuff into people's face.

 $\label{eq:continuous} If \ I \ had \ an \ issue, \ I \ wouldn't \ be \ in \\ business, \ you \ know.$

The violation on the 23rd, I didn't hear about the violation on the 23rd until after I received notice of the violation on the 29th.

And after I received notice of the violation on the 29th, we completely ceased all operations of that building in terms of leaf blowing. These guys are sweeping it up.

I know exactly who you are talking about.

He follows the guys around the property now.

Every time we are on the property, and I actually spoke with Cambridge police today

because they were at 10 Fawcett Street for a different reason and this guy was still there.

So they said next time we see him around, you know, to call them. That's a whole different matter. But I never -- we never had an issue before. I never had a complaint from customers, from outside -- you know, from anybody on the outside of the business. I never had issues with people being blown with a leaf blower.

You know as far as asthma attack goes, I don't think that they purposely pointed a leaf blower in his direction to make him have a prolonged asthma attack.

You know, I'm not denying the violations, because they were used, the cops were, obviously, there on the 29th. The 23rd, we weren't notified, and they just didn't know that there was -- that they couldn't use it, and there was no notice before I got this notice on the 29th,

and this is when first I saw this on July 12th.

CHAIR NICOLE MURATI FERRER: Okay.

BEN WIGGIN: But as far as the allegations of a leaf blower being pointed directly at somebody and blowing in their face, I mean, we do very big commercial accounts. We do New Balance and TripAdvisor. I do very sensitive buildings.

CHAIR NICOLE MURATI FERRER: Did you speak to your employee about the allegation?

BEN WIGGIN: Yeah. My employee told me when he came up to talk to him, at the end of the conversation, it was Mr. -- what is it, Mr. Cohen?

HENDERSON HEADLEY: Yes.

BEN WIGGIN: It was Mr. Cohen telling him to go back to Mexico.

So that's how that conversation ended between my employee and Mr. Cohen and then the

police arrived.

CHAIR NICOLE MURATI FERRER: In terms of the June 15, 8:00 a.m. start, that's in the rules and regulations. It is in the ordinance. It is in your permit.

BEN WIGGIN: I'm not denying any of that violation at all. If they were there before, then that's their fault. They shouldn't have been there.

We only have one building in Cambridge and I don't know why they were there before 8:00. They shouldn't have been. I don't know if they thought it was close enough to 8:00 that they thought they could go.

CHAIR NICOLE MURATI FERRER: And they shouldn't use it until September 15th.

BEN WIGGIN: 15th to September?

CHAIR NICOLE MURATI FERRER: September 15 through the end of the year.

BEN WIGGIN: Through the end of the year?

CHAIR NICOLE MURATI FERRER: December 31 and then it starts --

BEN WIGGIN: It stopped on when, it stopped on June 15th?

CHAIR NICOLE MURATI FERRER: Yeah.

BEN WIGGIN: I'm not denying any of the violations. Clearly it is here, it is documented, but I would like to say, you know, I wouldn't be in business anymore if my guys were walking around blowing people in the face with leaf blowers.

CHAIR NICOLE MURATI FERRER: I would vote a violation and a combined \$300 fine.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I concur.

CHAIR NICOLE MURATI FERRER: Violation, \$300 fine and we'll send you a statement of reasons.

BEN WIGGIN: Thank you.

APPLICATION: OATH 181 MASS AVE, LLC
D/B/A OATH CRAFT PIZZA

CHAIR NICOLE MURATI FERRER: Moving onto 0ath 181 Mass Ave, LLC, doing business as 0ath Craft Pizza, has applied for a new common victualler wine and malt license at 181 Mass Ave, unit 1, Nicholas Arone, as proposed manager of record of a premise described as approximately 2,547 square feet on one floor including dining area, kitchen, and service counter and storage area, back of house.

Proposed hours of operating are 10:00

a.m. to 12:00 a.m., Sunday through Wednesday and

10:00 a.m. to 2:00 a.m., Thursday through

Saturday with seating for 41.

For those of you that came in afterwards, as you can see, we're low on staff today, so if

you can, please put any supplemental documents, your affidavits, and notice to abutters on that black tray I put there, that would be helpful.

If you can, please state and spell your names for the record.

 $\label{eq:NICHOLAS} \mbox{ ARONE: Nicholas Arone,} \\ \mbox{ A-R-O-N-E.}$

ATTY SIMAO: Good afternoon. Karen Simao, McDermott, Quilty & Miller.

RICK WOLF: Rick Wolf, W-O-L-F with Oath.

CHAIR NICOLE MURATI FERRER: Are you speaking, ma'am?

UNIDENTIFIED PERSON: No.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Are you sure you don't want to?

CHAIR NICOLE MURATI FERRER: Go ahead.

ATTY SIMAO: Good afternoon,

Commissioners. Karen Simao, McDermott, Quilty & Miller.

We're here, as is read in the record, regarding an application for a wine and malt for the Oath pizza location at 181 Mass Ave.

By way of background, Oath has really been doing a tremendous job in growing its fast casual business throughout the Commonwealth.

In the application materials, you will see the Somerville location, the Chestnut Hill location all with similar concepts to what we're talking about here today.

And I bring that up because, first and foremost, of course, responsible sale and service is key to this business model.

As a culture, we see more and more demand for a fast casual dining option so you are not sitting and there's full table service and that whole process can take a longer period of time.

Oath's model for providing its product in 90 seconds or less is critical to the fast casual

environment of being able to turn around to meet people's -- whether they are lunch meetings, work meetings, off-to-community meetings, after work or family events, things like that.

Combined with that, of course, is the need for the beer and wine to accompany the various people that come in and order.

When we talk about the programming and the safety, there's been several very specific checks implemented already in the system as it relates to responsible sale and service.

So the staff is all TIPS trained and certified, No. 1, but No. 2, the model is that when you go up and place your order, you are carded and asked for identification at that time and simultaneously served the beer or wine, which is critical to eliminate sort of that in between point in time when a server comes to the table, there's no lag in between that. So the person

that carded you is actually the person delivering at that point in time.

These folks, as I mentioned, have successfully operated the model in several locations, and when we look at this location in Cambridge, one of the reasons that it was particularly appealing to them is that when we look within a 1,000-foot radius around this, plus or minus three city blocks, we see there are really only two other fast casual concepts that offer some form of alcohol. One is the Saloniki Greek.

CHAIR NICOLE MURATI FERRER: Next to the location?

ATTY SIMAO: Right. That's a beer and wine, and of course from a concept standpoint, a very different food genre. And then the other would really be Roxy's Grilled Cheese, which is fast casual, all alc, a different menu than that

provided by Oath.

When we sort of look just on its face in a city like Cambridge and the need for that within this geographic area, we see it certainly lends itself to that.

I would like to provide the Board with a copy of this applicant's statement and supporting materials of public need which talks a little about this location.

It provides the maps that I know you are all very familiar with in terms of those locations that we just talked about. But it certainly, as it relates to this particular market niche is under serviced, and we feel that the character and applicant of this particular proposed licensee lends itself to the City of Cambridge and its very stringent and serious monitoring of alcohol service in these types of formats.

The proposed manager of record here, of course, has direct experience in the sale and service of alcohol, has been with Oath for over a year and has been working at these other locations actually implementing these processes for the last year, and so he will be taking the lead in that respect.

And Rick who is here with us today, of course, is the head of the company and is available to answer any specific, whether they are company-wide policy questions or specific operational questions that the Board may have.

CHAIR NICOLE MURATI FERRER: I have a few.

Until what time do you plan to keep the kitchen open?

RICK WOLF: Until closing hours.

CHAIR NICOLE MURATI FERRER: So there would be food until closing hours?

RICK WOLF: Yes.

CHAIR NICOLE MURATI FERRER: Now, the other question I had and this could very well be just in terms of the order in which you fill out applications, how many seats are we looking at here because I have approval -- zoning approval for only 39 seats.

ATTY SIMAO: And that is what we have as the proposed seating capacity.

CHAIR NICOLE MURATI FERRER: So in your -- yeah, because -- no, it's not.

In the CV application, as well as the ABCC application, you have 41 and then an occupancy of 80. Do you expect a lot of standing room?

ATTY SIMAO: I'm not sure where the occupancy of 80 came from.

It may have been an error in -- a typographical error. The 41 comes from -- our

floor plan has the 32 seats and a booth with nine. So I think that's how they got to the 41. We are obviously going to defer to whatever ISD and the Building Department issues as it relates to capacity.

CHAIR NICOLE MURATI FERRER: It is 39 seats?

ATTY SIMAO: Yes.

CHAIR NICOLE MURATI FERRER: Now, your hours of operation, I have 10:00 to midnight, Sunday through Wednesday.

ATTY SIMAO: Correct.

CHAIR NICOLE MURATI FERRER: And then 10:00 to 2:00 a.m., Thursday through Friday.

ATTY SIMAO: That would be ideal.

CHAIR NICOLE MURATI FERRER: This would be no breakfast but for lunch? Yes?

ATTY SIMAO: Correct.

CHAIR NICOLE MURATI FERRER: I am going

to mark "yes" on your CV application for lunch.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Is this --

CHAIR NICOLE MURATI FERRER: Thursday

through Saturday they have 10:00 to 2:00 a.m.

Are you going to have any type of

entertainment?

ATTY SIMAO: No.

CHAIR NICOLE MURATI FERRER: No.

background music? No nothing?

RICK WOLF: Just regular music.

ATTY SIMAO: Just the radio.

System wide.

CHAIR NICOLE MURATI FERRER: There will

be background under conversational level?

RICK WOLF: Yes.

CHAIR NICOLE MURATI FERRER: Rather than make you file an application for that we'll just consider that included in this.

ATTY SIMAO: I appreciate that.

CHAIR NICOLE MURATI FERRER: What exactly is craft about this pizza?

RICK WOLF: It starts with our crust.

It's a more unique crust. Our founder actually invented it back in 2014.

It is actually seared on our grill on one side and seared with avocado oil on the other side so it creates a thin crispy product.

Also the ingredients we use, we make sure they are high quality ingredients.

We are the first restaurant chain in the US to use Certified Humane on the majority of our protein. We put a lot of emphasis on the quality of the products that we serve.

CHAIR NICOLE MURATI FERRER: And Ms.

Simao, in the floor plan I have I could not see the detail. Do you know if the architect accounted for standing room?

ATTY SIMAO: I don't know if he accounted for that.

CHAIR NICOLE MURATI FERRER: I don't see it here. But I didn't know if that's where the 80 came from in terms of the application.

ATTY SIMAO: I don't believe so, Madam
Chair. I don't believe so.

We have been having a little bit of an issue with some of the fields on the portal, so I can circle back to make sure that you have from the architect what we believe the standing occupancy would be.

It is not a bar setting with people standing.

CHAIR NICOLE MURATI FERRER: And you don't anticipate take-out or like in-and-out, you don't anticipate a large take-out?

ATTY SIMAO: No. It will be under any substantial number.

However, we do still need to account for people coming to pick up a pizza.

CHAIR NICOLE MURATI FERRER: Okay.

Mr. Arone, you've never been the manager of record on a liquor license before?

NICHOLAS ARONE: I'm a manager in Chestnut Hill and we have a beer and wine license.

CHAIR NICOLE MURATI FERRER:

ATTY SIMAO: You are not the approved manager of record?

NICHOLAS ARONE: No.

CHAIR NICOLE MURATI FERRER: Are you familiar with the rules and regulations of this board, the ABCC, and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol.

NICHOLAS ARONE: Yes.

CHAIR NICOLE MURATI FERRER: Do you

understand we expect you to stay up to date with those rules, laws, and regulations.

NICHOLAS: Yes.

CHAIR NICOLE MURATI FERRER: Questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: No.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I would vote to grant with 39 seats as total occupancy pending confirmation from the architect and with background music below conversational level.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Grant.

CHAIR NICOLE MURATI FERRER: Thank you.

Granted.

ATTY SIMAO: Thank you.

RICK WOLF: Thank you.

APPLICATION: PORTER SQUARE HOTEL, LLC.

D/B/A PORTER SQUARE HOTEL

CHAIR NICOLE MURATI FERRER: Next is

Porter Square Hotel, LLC, doing business as

Porter Square Hotel, holder of an innholder's

license and garage license at 1924 Mass Ave has

applied to transfer the common victualler all

alcohol license at 1924 Mass Ave held by Kaya-Ka,

Incorporated, doing business as Kaya Restaurant.

Curtis Butcher as proposed manager of record of a premise described as six floors including basement, meeting room, housekeeping, storage room, IT closet, mechanical rooms, office, staff locker room, restrooms, parking structure containing approximately 9,666 square

feet, level 1, hotel lobby, foyer, bar, restaurant, kitchen, housekeeping closet, garden approximately 5,066 square feet, level 2, 19 guest rooms, IT closet, housekeeping closet, approximately 4,940 square feet, level 3, 19 guest rooms, IT closet, housekeeping closet, approximately 4,940 square feet, level 4, 19 guest rooms, IT closet, housekeeping closet, approximately 4,940 square feet, level 4, 19 guest rooms, IT closet, housekeeping closet, approximately 4,915 square feet, level 5, 8 guest rooms, IT closet, housekeeping closet, approximately 3,783 square feet.

Applications have been made for change of license type to hotel/innkeeper, alteration of premise description, pledge of license, and pledge of inventory.

Good afternoon. Please state and spell your names for the record.

ATTY SIMAO: Good afternoon. Do you want to go first?

CURTIS BUTCHER: Curtis Butcher,

C-U-R-T-I-S B-U-T-C-H-E-R.

ATTY CELIA MARKUM: Celia C-E-L-I-A

Markum M-A-R-K-U-M.

ATTY SIMAO: Karen Simao, S-I-M-A-O.

CHAIR NICOLE MURATI FERRER: Your last

name again?

ATTY CELIA MARKUM: Marcum, M-A-R-C-U-M.

ATTY SIMAO: Celia is also with

McDermott, Quilty & Miller.

KEVIN SHEEHAN: Kevin Sheehan,

S-H-E-E-H-A-N.

CHAIR NICOLE MURATI FERRER: Go ahead,

Ms. Simao.

ATTY SIMAO: Thank you, Madam Chair and Commissioner.

By way of reference, and for the record,

I guess I would like to take this opportunity to

cross-reference our prior hearings regarding this

particular location and specifically a prior application for the innholder's license that currently operates at this address.

I would like to just let the board know, and for the record, that Attorney Rafferty is also here. He was present at one of the prior hearings on this specific transfer.

And so this is really phase 2 of what has been a long process in getting a transfer of what was previously a restaurant license at this location, which no longer exists transferred to the new hotel that has been erected at this location.

In terms of the standards that the Board is looking at in terms of public need and common good, there, of course, has been a high demand for hotel rooms in the City of Cambridge and in the greater Boston area and we're happy this location has been there and operating, but an

important amenity to that is the alcohol license related thereto.

So we are happy to finally be here on this portion of the transaction.

There will be, of course, an experienced manager of record. Mr. Butcher having had specific experience in hotel setting as it relates to the sale and service of alcohol, previously at The Charlesmark in Boston.

The team has been on the premises and functioning so there's no operational change other than, of course, significantly adding this piece to the operation.

And, of course, we are available to answer any questions that the board may have.

CHAIR NICOLE MURATI FERRER: First of all, I want to commend both you and Mr. Rafferty on getting this squared away in the timeline provided by the Board. I thank you for your

responsiveness to our concerns.

Mr. Butcher, you've never been the manager of record on an innholder's liquor license before, is that correct?

CURTIS BUTCHER: That's correct.

CHAIR NICOLE MURATI FERRER: So you were at the Charlesmark before?

CURTIS BUTCHER: I managed the

Charlesmark for eight years and I bartended for
three.

CHAIR NICOLE MURATI FERRER: And are you familiar with the rules and regulations of this board, the ABCC, and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol and running an innholder's license?

CURTIS BUTCHER: Yes.

CHAIR NICOLE MURATI FERRER: Do you understand we are expecting you to stay up to

date with those rules, laws and regulations?

CURTIS BUTCHER: Yes.

CHAIR NICOLE MURATI FERRER: Are you TIPS certified?

CURTIS BUTCHER: I'm not right now.

CHAIR NICOLE MURATI FERRER: You need to get TIPS certified before the license issues, if we grant it.

I think based on the existing license and everything else, the public need and everything else -- do you have any questions?

INTERIM POLICE COMMISSIONER BRENT LARRABEE: No.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(Non-verbal response.)

CHAIR NICOLE MURATI FERRER: Sir, if you can come up and state and spell your name for the record, that would be great. Thank you.

MICHAEL BRANDON: My name is Michael Brandon, B-R-A-N-D-O-N, 27, Seven Pines Ave. I also serve as the clerk for the North Cambridge Stabilization Committee, which has monitored this site for decades.

First off I wanted -- the question, I think the application, or the announcement, lists the current d/b/a as Kaya Restaurant but I think, in fact, it's Porter House.

CHAIR NICOLE MURATI FERRER: Well,

Mr. Brandon, the thing is that based on the way

that ABCC system is, they had to file this as two
separate applications and there were two separate

licenses, but it is correct in the application.

It is correct in the manner it is going to be

sent to the ABCC, if we so approve it today. But

thank you for noticing.

MICHAEL BRANDON: Okay. Also I wondered with an innholder's license, is there a

specification of the number of seats in the restaurant area and at the bar? And also the other questions you asked on the CV license before about the hours that the restaurant itself would be open and whether there would be any live entertainment?

CHAIR NICOLE MURATI FERRER: Do you care to answer?

KEVIN SHEEHAN: The restaurant operations will be open for breakfast, lunch and dinner.

As far as times for when we'll be closing, we're not sure.

There will be no room service, and we are hoping we'll be able to use it also for private parties, but as far as a closing time right now, we are not sure what full-time that's going to be.

ATTY SIMAO: The license application is for a 2 a.m. to provide the hotel with

flexibility, especially for the private functions and then the dinner would really depend on public -- once we are opened up and opened with the dining portion of the restaurant, that will depend on the public demand.

I expect it will run later in the weekends than it will during the week.

KEVIN SHEEHAN: As far as entertainment is concerned, there's no plan right now to have live entertainment.

I'm sure at some point some of the functions may want some sort of entertainment whether it's a jazz trio or something like that.

I would imagine that would be the extent of what we would get close to.

CHAIR NICOLE MURATI FERRER: I don't particularly have here the file, but I do know that you hold some type of entertainment license, I think it is music above conversational level or

something, at the hotel and that continues throughout.

ATTY SIMAO: Uh-huh.

And then the seating -- there was a question on the seating capacity within the restaurant, which is at 150.

KEVIN SHEEHAN: There's also seating that is designated for the outside patio in front of the hotel, and I think that's 18, if I'm not mistaken.

I would have to double check to make sure.

MICHAEL BRANDON: Regarding -- are you finished?

KEVIN SHEEHAN: Yes.

MICHAEL BRANDON: Just one follow-up on those was when you say "no room service," does that mean there also would not be a mini fridge?

KEVIN SHEEHAN: Room service is very

different than a mini fridge.

Room service is an actual department where you have wait staff delivering breakfast, lunch and dinner to the rooms.

ATTY SIMAO: And we'll have the mini snacks.

KEVIN SHEEHAN: Yes. The fridges will still be in the rooms. There will not be delivery to the rooms.

MICHAEL BRANDON: You mentioned a front patio and that was another concern our group had, at least what I had seen, maybe in an earlier version of the application, there was no mention of the front patio, and all along it was envisioned that one of the amenities that the neighborhood sought was that there had been a patio with alcohol and food service before and they wanted to see that retained when the restaurant opens.

CHAIR NICOLE MURATI FERRER: Ms. Simao, is there a plan because I don't have the patio for the alcohol.

ATTY SIMAO: We --

CHAIR NICOLE MURATI FERRER: I have the patio for the hotel operations but I don't have it for the alcohol and so I didn't flag it because I --

ATTY SIMAO: That's correct.

CHAIR NICOLE MURATI FERRER: It is not part of the alcohol, is that correct?

ATTY SIMAO: It should have been included as part of the application but it was not included in your application.

KEVIN SHEEHAN: It was my understanding that it was addressed at length previously.

CHAIR NICOLE MURATI FERRER: Well, it was in terms of the issues with the license and the transfer of the license, but it is not in terms

of the application that was actually filed.

KEVIN SHEEHAN: Right. So that was overlooked.

ATTY SIMAO: So we --

KEVIN SHEEHAN: We'll get that from the architect and have that.

CHAIR NICOLE MURATI FERRER: So then what needs to happen is we need an updated floor plan because it is also not in the floor plan that was submitted with this application. And if we approve it today, then we will write that as a condition of our approval to the ABCC since you cannot amend your application.

ATTY SIMAO: We'll file a second application.

CHAIR NICOLE MURATI FERRER: No. No. If you submit to me a floor plan that includes the patio and the description of that patio, then if we approve it today, we can submit it as part of

our grant because we know that right now the portal doesn't allow applicants to amend but we can.

ATTY SIMAO: Understood. We will do that in short order.

MICHAEL BRANDON: Just to clarify on that, my understanding is that patio is entirely on the private property, is that correct?

KEVIN SHEEHAN: Are you talking about the front, Michael, or the back.

MICHAEL BRANDON: I'm talking about the front. I was going to ask about the back.

KEVIN SHEEHAN: The front is on private property as is the back, yes.

MICHAEL BRANDON: And so the question on the back, so there will be 18 seats and tables on the front?

KEVIN SHEEHAN: I would have to double check that. If memory serves me, it is somewhere

between 18 and 14.

ATTY SIMAO: I think we need to pull the plans so that we are giving precise information.

CHAIR NICOLE MURATI FERRER: So let's do this, why don't we continue this hearing to August 9th. And then between now and August 9th, just get us all of the plans and updated license premise description, if need be.

Get me one, because I don't have it, in terms of -- and then we could vote on August 9th.

ATTY SIMAO: Understood.

CHAIR NICOLE MURATI FERRER: Okay.

Mr. Rafferty -- continue, Mr. Brandon. We'll
hear from Mr. Rafferty.

MICHAEL BRANDON: So everything gets resolved. Another question I had was about the rear patio. The residential district behind the hotel, the agreement, Madam Chair, you may remember involved, providing a public garden

park, that we have the same rules as the city park, although it would be on private property. So the concern that came up in the discussions with the original architect and subsequently was that alcohol not be served in level B, a public park.

Mr. Gim had indicated that the hardscape patio installed behind the building, the hotel building, would not be used by the restaurant, it would just be the front patio.

As a result of that, the redesign of the garden that was necessitated by the unexpected installation of electrical equipment by

Eversource did not involve any kind of a fence or barrier between the patio area and the park per se, so, I guess, the question is, and I didn't see, at least what I -- the application I saw did not mention any of the outside space so the question is: Will that rear patio be used by the

restaurant, will there be alcohol served there?

whether these -- our office wasn't involved in those discussions, so I apologize that I'm a little -- I don't know whether those were discussions in the process of the zoning process. I don't know that those issues were before this Commission before.

CHAIR NICOLE MURATI FERRER: Those were the BZA discussions.

Why don't we do this, Mr. Brandon, if you have any other questions in terms of the plans since we continued this, please raise them with them right after this hearing so they can make sure they address them for the next hearing.

And, Mr. Rafferty, did you want to say something?

ATTY JAMES RAFFERTY: Just briefly.

Thank you, Madam Chair. I represent Mr.

Gim. Mr. Gim is the president and sole shareholder of the current holder of the license, the Kaya-Ka Incorporated.

It is his license that has been transferred or that license has been transferred in this process.

He also has a 50 percent interest in the successor company operating the hotel.

We're just -- it is a question of whether it would be reasonable to anticipate that as a condition of the approval that the applicant would have to install a kitchen because notwithstanding the fact that the hotel has been in operation for several months, it remains an ongoing concern of Mr. Gim that there will be no kitchen in the hotel and the ability to serve food is not currently available.

CHAIR NICOLE MURATI FERRER: Well, I was under the understanding that the hotel had

reached an agreement with Brueggers that is submitting the food and everything and he's making sure they are in compliance, correct?

ATTY SIMAO: That's correct.

ATTY JAMES RAFFERTY: That's correct, there's food being served but the kitchen --

CHAIR NICOLE MURATI FERRER: I understand what you are saying. I just wanted to clarify that for the record.

ATTY JAMES RAFFERTY: There's a floor plan that depicts a kitchen. It is being approved as part of a process, and my client remains concerned of the absence of the existing conditions to the floor plan with regard to the kitchen and its equipment.

CHAIR NICOLE MURATI FERRER: What is the timeline in terms of the build-out?

ATTY SIMAO: As we stated at the prior violation hearing for nonuse of the license, the

hotel has not built out that kitchen because prior to this application there had not been the ability to file this transfer application.

As we indicated at that hearing and we'll reiterate again today, once there has been final approval by the ABCC on this, then the hotel can go forward with its construction plans to build that space out.

CHAIR NICOLE MURATI FERRER: Why are we waiting for approval from the ABCC before --

ATTY SIMAO: Because we wouldn't build out a kitchen for a restaurant that we are not going to be able to serve alcohol at if there's not going to continue to be the cooperative effort to get the approval from the ABCC.

So, again, at the violation hearing we discussed several of the underlying issues.

Here, and as the Commission knows, there still needs to be sign off from DOR, DUA, and so

the investment in a kitchen for a restaurant that won't be able to serve alcohol, if it is not approved, would be irresponsible at this juncture.

But, as we stated at that hearing, we'll reiterate today, following the approvals, we are able to then move forward with our architect to revisit the completion of those plans and the actual build-out of that space and that's why it is provided in the plans.

ATTY JAMES RAFFERTY: Madam Chair, I would note I find that a highly unusual sequence.

I have been involved in many applications for restaurants and hotels that rely upon transfers of licenses and the notion that no activity with regard to the creation of a kitchen occurs until after such time that the transfer is approved is unusual. I'll leave it to the Commission.

CHAIR NICOLE MURATI FERRER: Maybe I thanked both both of you prematurely.

Why don't we try to figure this out.

ATTY JAMES RAFFERTY: Before next month?

CHAIR NICOLE MURATI FERRER: Before
August 9.

I will say that I do understand the concern but I must agree that I think waiting for the final approval from the ABCC prior to even starting is -- I don't think it is reasonable.

ATTY SIMAO: If I may, Madam Chair?

CHAIR NICOLE MURATI FERRER: I don't think it is reasonable because I think that even if this doesn't transfer, I'm assuming that your client is going to figure something else out, and at some point -- they can't contract with Brueggers forever -- and a kitchen will have to be -- I mean, again, we are taking it under advisement. We are continuing it to August 9.

We'll hear everything.

ATTY SIMAO: But if I may just finish on that, since there's a statement on the record, I know that this Board is very aware, that it routinely will grant transfers of licenses before a project is built because people don't invest the money in that project before it is built.

In this particular case, that was initially the idea and this hotel went forward and spent substantial funds on constructing the hotel believing that the transfer was going to occur, so it is actually not unusual in this particular case.

What makes it unusual is, yes, we can work something out, but as the Commission knows, we actually can't get a license there until this license moves out and that is why we're here.

So we're happy to provide some information on what the construction schedule

would be following approval at the August 9th hearing but we really can't move forward investing more money without knowing that we're licensed for this.

CHAIR NICOLE MURATI FERRER: Anyone else in favor this petition?

(No response.)

MICHAEL BRANDON: If I can clarify. I'm in favor if these issues, if these are all resolved and I would support the idea of build it first rather than doing it the other way because you've had the assurances before about when it will be ready to open, and it's also a pocket license that's been around for many years. So there's a public need, and if there is, it needs to move forward. They are going to have to put the kitchen in at some point, so let them resolve it now and between both parties of the hotel and have them recognize that now.

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Continue to August 9 at 3 p.m.

APPLICATION: CHEESE PIZZA, LLC.

D/B/A ROXY'S A4CADE

CHAIR NICOLE MURATI FERRER: Cheese

Pizza, LLC, doing business as Roxy's A4Cade,

holder of a common victualler all alcohol license

and entertainment license at 300 Mass Ave has

applied to amend their entertainment license to

include DJ, an additional 10 TVs and an

additional two video games.

State and spell your names for the record.

ATTY CELIA MARKUM: Celia Markum,
C-E-L-I-A M-A-R-K-U-M.

MICHAEL KRUPP: Michael Krupp, K-R-U-P-P.

ATTY SIMAO: Karen Simao McDermott,

Quilty & Miller. S-I-M-A-O.

JOSEPH BARONE: Joseph Barone,

B-A-R-O-N-E.

ATTY CELIA MARKUM: So --

CHAIR NICOLE MURATI FERRER: Hold on one second. I'm doing four jobs today.

I didn't get your name.

MICHAEL KRUPP: Michael Krupp, K-R-U-P-P.

CHAIR NICOLE MURATI FERRER: Go ahead.

ATTY CELIA MARKUM: At the premise it is currently an adult restaurant, an arcade with an entertainment license.

We're seeking to add 10 TVs, two video games, which will be two Xboxes and one DJ. And there's no change to the day-to-day operations.

We are just seeking to enhance the current entertainment license.

And as we submitted with the amendment of the entertainment license, we -- the two Xboxes are on the -- associated with two of the TVs.

CHAIR NICOLE MURATI FERRER: I was confused when I saw two more video games because I was like that's a tight space already, so I'm glad to hear it is only the Xboxes.

I want to clarify something for the record. You are already licensed for a DJ, although it has not appeared on your entertainment license and although you have not paid for it, you were approved when you applied in 2015, November of 2015.

I went back and read the notes and the transcript, and the Commission did approve a DJ back then, so --

ATTY SIMAO: We appreciate the clarification.

CHAIR NICOLE MURATI FERRER: There's a

clarification and a clean-up on our end, so -but I did go back to make sure because I was a
little -- I saw it on your actual application,
but I didn't see it on the licensing.

JOE BARONE: We were additionally approved.

CHAIR NICOLE MURATI FERRER: It's now cleared up. You have a DJ.

What are you planning on the TVs, what are you putting on the TVs?

JOE BARONE: Sports, when appropriate.

Regular programming, movies. Anything fun.

CHAIR NICOLE MURATI FERRER: I usually don't ask that question, but since I have been to your premise and seen the setup, I was confused where you would be playing.

JOE BARONE: We try to keep it eclectic in terms of what is on the TV.

MICHAEL KRUPP: Full House has been a big

hit.

JOE BARONE: Cartoons.

CHAIR NICOLE MURATI FERRER: Questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: No.

CHAIR NICOLE MURATI FERRER: All right.

Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in

opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I vote to

grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Grant.

CHAIR NICOLE MURATI FERRER: Granted.

Thank you.

APPLICATION: TAS CAFE ENTERPRISES, INC.

D/B/A ANTHONY PIZZA

CHAIR NICOLE MURATI FERRER: Moving on to TAS Cafe Enterprises, Incorporated, doing business as Anthony Pizza, has applied for a common victualler license at 43 Gore Street with a seating capacity of 20 and proposed hours of 9:30 a.m. to 12:00 a.m., seven days per week.

Orhan Tas as proposed manager of record of a premise described as approximately 900 square feet, first floor with dining area in the front and kitchen/prepare area in the back.

I will note for the record that we received an updated application that we requested for 24 seats, instead of 20, and we received that about an hour before the hearing. Thank you.

ATTY ANTHONY GALLUCCIO: Thank you,
Madam Chair.

CHAIR NICOLE MURATI FERRER: Please state

and spell your last name.

ATTY ANTHONY GALLUCCIO: My name is

Anthony Galluccio, I'm a partner with Galluccio
and Watson, 1498 Cambridge Street, and I'm here
with an associate in our firm, Kathleen Moore,
also of the same address.

Madam Chair, you did an excellent job of describing the application, so I don't want to be repetitive.

I do want to make one note which is that the advertisement for common victualler was, as you said, until 12:00 a.m.

Upon review of the lease, I noticed that the landlord had a condition that the restaurant not operate past 11:00.

I would like to amend that.

We did do both certified mail and regular mails to the abutters notifying them. We haven't received any calls or letters of concern. But we

would like to amend that to be 11:00.

We may be back if in the future the landlord agrees to go to 12:00, we could come back. I didn't want to have a conflict with the lease.

Madam Chair, the advertisement was for 20 seats or 24?

CHAIR NICOLE MURATI FERRER: 20

ATTY ANTHONY GALLUCCIO: Okay. We got this a little late.

Anthony serves great coffee, and I happened to go there in the morning and he mentioned he needed assistance and so we were happy to take the file on, and in doing so, I went back and looked and Olive's had 24 seats prior. 20 seats and 24 occupancy.

So my practice is typically to try to recapture the number that is allowed, the floor plan is the same, so that's why when we amended

the application, I think Anthony got an application on-line that was probably ten or 15 years old in terms of form, so we did a new application and that's when that 24 number surfaced.

Other than that, we have submitted all the appropriate documents, the d/b/a, the articles of organization, the menu will obviously be updated to reflect Anthony's name.

I will say personally I'm familiar with the operation. I am a regular at Anthony's Cafe at Dana Street. It is up the street from where I live. They do a phenomenal job.

Anthony and his wife Nancy run a family operation. She will continue to manage at Anthony's, which was good for me because I'm there a lot and Anthony will be down at Olive's.

Olive's already has a good reputation.

They have excellent food, and I think Anthony

will continue that tradition of serving local businesses and residents.

CHAIR NICOLE MURATI FERRER: For the record, your clients are.

ATTY ANTHONY GALLUCCIO: It's Orhan and Nancy. It is -- the restaurant is not being named after me. It is actually his name.

CHAIR NICOLE MURATI FERRER: Yep, yep.

Okay, are you serving breakfast?

ORHAN TAS: No.

CHAIR NICOLE MURATI FERRER: So you open at 9:30?

ATTY ANTHONY GALLUCCIO: There are breakfast subs and sandwiches but it is not a traditional breakfast. He's opening at 9:30.

CHAIR NICOLE MURATI FERRER: I see no issue considering that there's -- that it was the same as the previous one, that we have zoning approval amending this to 24 seats.

I also see no issue rolling back the hour to 11:00 p.m. to comply with the lease, and other than that, anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I would vote to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Grant.

CHAIR NICOLE MURATI FERRER: Quick question: Are you planning on having entertainment at all? Music.

NANCY TAS: Regular.

ORHAN TAS: Some but not --

ATTY ANTHONY GALLUCCIO: I was there today. There's nothing audible.

You may have something in the back but ${\tt I}$

didn't see anything out in the front.

Do you want to have conversational music?

If we do, we should ask for it now.

CHAIR NICOLE MURATI FERRER: Yes, right now.

ATTY ANTHONY GALLUCCIO: Are you leading us to that?

NANCY TAS: We have the cafe.

ATTY ANTHONY GALLUCCIO: This will be conversational level music.

NANCY TAS: Like we have in the cafe.

CHAIR NICOLE MURATI FERRER: So I am going to propose we grant this with the 11:00 closing hour and 24 seats with entertainment license of music below conversational level.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY ANTHONY GALLUCCIO: Thank you.

NANCY TAS: Thank you.

APPLICATION: S.L.W. AND P HONG KONG RESTAURANT INC.

D/B/A HONG KONG RESTAURANT

CHAIR NICOLE MURATI FERRER: S.L.W and P
Hong Kong Restaurant, Incorporated, doing
business as Hong Kong Restaurant, holder of a
common victualler all alcohol license at 1234
Mass Ave has applied for a change of beneficial
interests.

Good afternoon. Please state and spell your names for the record.

ATTY KEVIN CRANE: My name is Kevin Crane

K-E-V-I-N C-R-A-N-E.

PAUL LEE: Paul Lee, P-A-U-L L-E-E.

CHAIR NICOLE MURATI FERRER: Go ahead.

ATTY KEVIN CRANE: Madam Chair,

Commissioner Larabee, I'm Kevin Crane and I

represent the petitioner.

We are here simply to update some records.

Paul Lee's mother passed away in the past year. She is still an officer and a very small shareholder in the corporation.

So we updated the records at the Secretary of State's Office such that Paul will be the president, treasurer, secretary and director and his sister Evelyn will be a director.

And the only two shareholders will be Paul at 86.67 percent and his sister Evelyn at 13.33 percent.

CHAIR NICOLE MURATI FERRER: Okay.

So -- and this is the .86 something difference?

ATTY KEVIN CRANE: Yes.

CHAIR NICOLE MURATI FERRER: Now, I had a

question because -- so it is a change of beneficial interest.

Was there -- is it also a transfer of shares?

Yeah. It is not a trick question.

I'm only asking because the ABCC application, there's a -- the "change of beneficial interest" is marked off, but the "change of transfer of stock" is not.

I'm wondering should we flag that for the ABCC, so it doesn't slow it down and say yes, this is a change and a transfer?

ATTY KEVIN CRANE: Madam Chair, I could go on for hour an about the ABCC form.

First of all, they don't have any notation for change of officers in there, which is sort of ridiculous in my mind.

In answer to your question, it's not a transfer for consideration.

Paul is receiving these shares by way of his mother's will.

CHAIR NICOLE MURATI FERRER: Okay.
That's fine.

Okay, so what I'll do is, that if we grant it, we'll make that notation on our grant that this is by way of will.

ATTY KEVIN CRANE: Yes.

CHAIR NICOLE MURATI FERRER: And then that way that should smooth anything out in terms of questions on that.

ATTY KEVIN CRANE: Yeah.

CHAIR NICOLE MURATI FERRER: Questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: No.

CHAIR NICOLE MURATI FERRER: Other than that, no changes to the operation, correct?

PAUL LEE: No.

CHAIR NICOLE MURATI FERRER: Anyone in

favor of this petition.

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I vote to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY KEVIN CRANE: Thank you very much.

APPLICATION: NOOKIE, LLC.

D/B/A COMMONWEALTH RESTAURANT

CHAIR NICOLE MURATI FERRER: Nookie, LLC, doing business as Commonwealth Restaurant, holder of a common victualler all alcohol license at 11 Broad Canal Way has applied for an entertainment license to include dancing by patrons, DJ, comedy

show, darts, karaoke, live music with and without amplification, magic show, reading of poetry and other works, audio tape machine, CD, computerized media playing music below and at conversation level and 2 TVs for both inside the premise and on the seasonal outdoor patio.

Good afternoon. Could you please state and spell your name for the record.

JOHANNA GRIFFIN: Johanna Griffin,
J-O-H-A-N-N-A G-R-I-F-F-I-N.

CHAIR NICOLE MURATI FERRER: Thank you,

Ms. Griffin.

Can you tell us, aside from the fact that you want to stop applying for one days for weddings, why do you need this license?

JOHANNA GRIFFIN: That was the main issue for it. We would like to be able to play music for our patrons on the patio outside and just to kind of speed up the process.

CHAIR NICOLE MURATI FERRER: And I note, for the record, that you've been open since 2012 and had no disciplinary issues.

JOHANNA GRIFFIN: Yes.

CHAIR NICOLE MURATI FERRER: And no issues with the one-day entertainment license.

JOHANNA GRIFFIN: No.

CHAIR NICOLE MURATI FERRER: I have a question because the way that your application was filled out in terms of hours, you applied for a 10:00 a.m. to 1:00 a.m. but right now, your hours of operation are 11:00 a.m. as the opening hour and closing at 1:00 a.m. except Sunday, so --

JOHANNA GRIFFIN: That was an error.

CHAIR NICOLE MURATI FERRER: What I'll do is, we can amend this to reflect the hours of your current license, correct?

JOHANNA GRIFFIN: Yes.

CHAIR NICOLE MURATI FERRER: And then the -- you intend to shut down the music at the patio at 9:00 p.m.?

JOHANNA GRIFFIN: Yes.

CHAIR NICOLE MURATI FERRER: There's only one speaker in the patio?

JOHANNA GRIFFIN: That's correct.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

 $\label{eq:chair_norm} \textbf{CHAIR NICOLE MURATI FERRER:} \quad \textbf{I would vote}$ to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

Then we'll amend the hours to reflect

those of the current operation. Thank you.

APPLICATION: 450 KENDALL HOSPITALITY, INC.

D/B/A GLASS HOUSE

CHAIR NICOLE MURATI FERRER: 450 Kendall Hospitality, Inc, doing business as Glass House, holder of a common victualler all alcohol license at 450 Kendall Street has applied for transfer of stock and pledge of stock.

Good afternoon. Could you please state your name for the record?

ATTY DENNIS QUILTY: My name is Dennis Quilty, Q-U-I-L-T-Y. I'm an attorney representing the applicant before you this afternoon.

CARL BOREN: Carl Boren, B-O-R-E-N.

CHAIR NICOLE MURATI FERRER: Thank you.

Go ahead.

ATTY DENNIS QUILTY: This matter actually

came before the Commission in 2016 for the actual license application at the Kendall location.

Subsequently Mr. O'Connor, who is the principal of the present entity, sought to transfer interests.

These were all a series of family-held businesses, most of them in Boston.

Those applications were created, filed and approved by the City and the Commonwealth last -- the end of last year.

This last application is before you today to basically transfer the interests in the entity from Mr. O'Connor personally into the BRG Holding Group.

The BRG Holding Group is made -- 100 percent owner of the licensee.

It is comprised of Mr. O'Connor as a 74.5 percent, and a trust for the benefit of his children for the remaining 24-and-change percent.

So his operational control, if you will, remains the same. It was kind of a family transaction. Mr. Shea remains as the manager of record. The operation remains exactly as it is today. And in this context, all of these licenses were pledged to the Santander Bank, and the application requests that for this license as well.

CHAIR NICOLE MURATI FERRER: Okay. And then -- so is that why the "change of beneficial interest" is unchecked?

ATTY DENNIS QUILTY: We filed a change of -- a transfer of stock but --

CHAIR NICOLE MURATI FERRER: Pledge of stock and the transfer of stock. But now beneficial interest because it is Mr. O'Connor?

ATTY DENNIS QUILTY: It is all filed in there. You will see that there's a beneficial interest of the entities.

CHAIR NICOLE MURATI FERRER: Now, I saw it.

ATTY DENNIS QUILTY: Individually and the two entities.

CHAIR NICOLE MURATI FERRER: I saw it. I was wondering if you did that on purpose or was this just one of those things.

ATTY DENNIS QUILTY: I'm honestly not sure to tell you the truth.

CHAIR NICOLE MURATI FERRER: I will just flag it.

ATTY DENNIS QUILTY: I think we should just flag it because it is -- it is indeed.

I mean, it is in a way and in another way it doesn't really change control.

In any event, we have different entities, so, yes.

CHAIR NICOLE MURATI FERRER: But other than that everything is staying the same?

ATTY DENNIS QUILTY: Everything stays the same.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I vote to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Grant.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY DENNIS QUILTY: Thank you.

APPLICATION: BBC OF MAIN STREET, LLC.

D/B/A BOSTON BURGER COMPANY

CHAIR NICOLE MURATI FERRER: BBC of Main Street, LLC, doing business as Boston Burger

Company, has applied for a new common victualler all alcohol license at 610 Main Street.

Sebastian Fricia as proposed manager of record of a premise described as approximately 1,984 square feet with one entrance and two exits on the first floor, two seasonal outdoor patios on private property.

Application for an entertainment license has also been made to include audio tape machine, CD, computerized media playing music below, at or above conversation level, live music with and without amplification, radio and 10 TVs.

Proposed hours of operation are 11:00

a.m. to 11:00 p.m. Monday through Wednesday,

11:00 a.m. to 12:00 a.m. Thursday through

Saturday and 12:00 p.m. to 10:00 p.m. on Sunday.

Seating capacity is 67 inside and 44 at seasonal patio.

Could you please state your name for the

record?

ATTY ANDREW UPTON: Good afternoon, Madam Chair, Commissioner. Andrew Upton, U-P-T-O-N, for the applicant.

With me are owners Charles Sillari,
S-I-L-L-A-R-I, and proposed manager of record,
Sebastian Fricia, S-E-B-S-A-T-I-A-N F-R-I-C-I-A.

CHAIR NICOLE MURATI FERRER: Go ahead.

ATTY ANDREW UPTON: We are applying for a license for the new Boston Burger Company, which is in the Novartis -- Pfizer building across the street from Catalyst.

The character and fitness of the applicant is demonstrated by their successful operation of three units that have alcohol licenses in Boston, Somerville and in Cambridge at 1105 Mass Ave where Mr. Fricia has been approved by this Board and the ABCC as the manager of record and has done an excellent job

and has had no violations.

As you can see from the hand-out that I presented to the Board, Boston Burger Company has gotten considerable acclaim and publicity both locally and nationally, local and national media, it is a popular restaurant and there's a great demand for their services as shown by the continuing lines to get in at the three locations.

We believe the public need is

demonstrated by the fact that the landlord has

recruited them to go in the space believing that

a casual, but not too casual,

good-quality-food-at-a-reasonable-price point

that they provide would be good for the employees

and the neighborhood.

As you know, the demographics of the Kendall Square area support this.

As I mentioned, we're right across from

the Catalyst Restaurant, which is well known for his celebrity-style chef and fine dining.

However, when I was there recently two glasses of wine and a small plate of olives was almost \$36, it is apparent that a more reasonable dining option for workers and families and professionals is likely needed in that area.

We have spoken with the Area 4

Neighborhood Association and they have presented a letter in support.

We have spoken to the Kendall Square

Business Association and they presented a letter

of support.

And we have had dialogue with the

Margaret Fuller Neighborhood House. They don't

actually endorse or not endorse but we reached

out to them and talked to them.

CHAIR NICOLE MURATI FERRER: Do you have those? Because I didn't get them.

ATTY ANDREW UPTON: I do.

There's potential for employment and other opportunities for their members and clients.

I would like to have Mr. Sillari give you an overview of the concept since he's a local guy, as is Sebastian, and they are the founders and the operators.

CHARLES SILLARI: Boston Burger Company started in 2009. Our first location was in Davis Square in Somerville. Right away we were well received by the neighborhood and we opened up a second location at 1100 Boylston Street in Boston, Berklee School of Music is our landlord over there, and about two years ago we came before this board and we opened up a third location at 1105 Mass Ave, which is the former location of the Dolphin Restaurant.

Since then we have become a part of the

neighborhood. We have a lot of locals that come in on a regular basis and we have been well received by that neighborhood as well.

And maybe about six months ago we were approached by MIT asking us if we were interested in going in 610 Mass Ave, which is the Pfizer headquarters, and we loved the idea going into this neighborhood. There's a lot of exciting things going on there and we think we would be a great fit.

We are a restaurant first, alcohol comes second. Alcohol makes up a small percentage of our sales, which is probably ten to 12 percent, and we continue -- we would want to continue that same model at this new location and we are excited about opening it up at 610 Main Street.

CHAIR NICOLE MURATI FERRER: Now, I tried finding this to take a look at exactly where you are going to be and I got so confused because I

couldn't find it between Sulmona and Cafe Luna and --

CHARLES SILLARI: It's the other corner, Sulmona is on the one end and we are on the other end.

CHAIR NICOLE MURATI FERRER: Okay. Got it.

I do have a question: Do you plan to sell alcohol on the patios?

CHARLES SILLARI: Yes.

CHAIR NICOLE MURATI FERRER: So the patios are not part of the ABCC application.

They are not part of the original one and they are also not part of the amended one, so that would have to be changed.

ATTY ANDREW UPTON: I mean, if it is amendable to the Board, we'll change it now or we'll be glad to do a supplemental.

CHAIR NICOLE MURATI FERRER: That's fine.

I saw it. I have the floor plan for it. But in the application the questions regarding the patio, on both the original one with the Mass Ave address and then the amended one, it's -- where it says "patio" and then "outdoor area square footage," it is empty or blank.

ATTY ANDREW UPTON: Thank you for pointing that out.

We would like to put that in now.

CHAIR NICOLE MURATI FERRER: So that would -- and they are both on private property?

CHARLES SILLARI: Yes.

CHAIR NICOLE MURATI FERRER: Now, Mr.

Upton, I'm also going to change the premises

description on the CV license to match the one

for the alcohol license.

ATTY ANDREW UPTON: Yes.

CHAIR NICOLE MURATI FERRER: Because you're serving food everywhere that you're

serving alcohol?

ATTY ANDREW UPTON: Yes.

CHAIR NICOLE MURATI FERRER: Now, the seating, I'm confused about the seating. I have seating -- at the ABCC application, I have 88 -- I mean, 80 with an occupancy of 100. But then in the zoning, I have a total of 111. I think that accounts for both the inside and outside.

SEBASTIAN FRICIA: Yes.

CHAIR NICOLE MURATI FERRER: So are we saying that you are going to have a seating capacity of 67 inside and 44 outside?

ATTY ANDREW UPTON: For a total of 111, yes.

CHAIR NICOLE MURATI FERRER: I need to know where those 44 are in terms of outside.

ATTY ANDREW UPTON: If I may?

CHAIR NICOLE MURATI FERRER: I can do this. I can give you -- or did you have

something that shows that?

ATTY ANDREW UPTON: I believe we might have given this to Mr. O'Neil. If you add these, that's a patio too.

CHAIR NICOLE MURATI FERRER: Oh, okay, this is the patio, and then this is the patio, okay.

ATTY ANDREW UPTON: That's outdoor.

CHAIR NICOLE MURATI FERRER: The other outdoor, okay, got it. Thank you.

I note that you have been the manager of record on a liquor license before.

SEBASTIAN FRICIA: Yes.

CHAIR NICOLE MURATI FERRER: But the application says "never" so I'm going to change that.

SEBASTIAN FRICIA: Yes.

CHAIR NICOLE MURATI FERRER: Or note that for the ABCC. I looked up, and I couldn't find

anything but just to clarify, have you ever had any disciplinary issues with the local board, or ABCC as manager of record?

SEBASTIAN FRICIA: No.

CHAIR NICOLE MURATI FERRER: And do you understand we expect you to stay up to date with the rules, laws and regulations with regards to the sale and service of alcohol?

SEBASTIAN FRICIA: Yes.

CHAIR NICOLE MURATI FERRER: And you say that you are going to be either there between 25 to 40 hours a week?

SEBASTIAN FRICIA: Yes.

CHAIR NICOLE MURATI FERRER: Questions?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: No.

CHAIR NICOLE MURATI FERRER: Anyone in favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Okay, I would vote to grant pursuant to these changes being made and clarifications being made.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Yes.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY ANDREW UPTON: Thank you very much.

CHAIR NICOLE MURATI FERRER: Mr. Upton, if you want to wait and go make those changes

now.

APPLICATION: KALPANA SHRESTHA

D/B/A HIMALAYAN ARTS AND CRAFTS

CHAIR NICOLE MURATI FERRER: Kalpana

Shrestha doing business as Himalayan Arts and

Crafts, has applied for a secondhand goods,

antique store license at 8 Bow Street.

Good afternoon. Can you please state and spell your names for the record?

ATTY DENNIS BENZAN: Good afternoon,

Madam Chair. Good afternoon, Mr. Commissioner.

Attorney Dennis Benzan. Law Offices of Dennis

Benzan, 689 Mass Ave in Cambridge on behalf of

Kalpana Shrestha, K-A-L-P-A-N-A S-H-R-E-S-T-H-A.

CHAIR NICOLE MURATI FERRER: Thank you.

Go ahead.

ATTY DENNIS BENZAN: Thank you, Madam

Chair. So my client is applying for a secondhand antique license. She's currently been working at this location for four months. The location has been used as an antique store, craft store for the past ten years.

My client has been married 20 years to her husband who operates a market in Needham Square. She has two children and she has

extensive experience running a retail shop.

At this particular shop, she's looking to sell Nepalese jewelry as well as arts and crafts and some antique items and some Harvard University goods.

CHAIR NICOLE MURATI FERRER: We are near Harvard, so why not. You used to have Bombay Market?

KALPANA SHRESTHA: Yes.

CHAIR NICOLE MURATI FERRER: 9:00 a.m. to 9:00 p.m. are your proposed hours for the location?

ATTY DENNIS BENZAN: Yes.

CHAIR NICOLE MURATI FERRER: And I do note we got everything else, we have the CORI and everything is all squared away on that end.

Any questions?

INTERIM POLICE COMMISSIONER BRENT LARRABEE: None.

CHAIR NICOLE MURATI FERRER: Anyone in

favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in

opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: I vote to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

ATTY DENNIS BENZAN: Thank you, Madam Chair and thank you, Commissioner.

APPLICATION: SHRESTHA, INC.

D/B/A KANTIPUR CAFE

CHAIR NICOLE MURATI FERRER: Application,

Shrestha, Incorporated, doing business as

Kantipur Cafe, has applied for a common

victualler license at 119 Hampshire Street with a seating capacity of 20 and proposed hours of 8:00 a.m. to 11:00 p.m., seven days per week.

Radheshyam Shrestha as proposed manager of record of a premise described as approximately 876 square feet, first floor with dining area in the front and kitchen prep area in the back.

Can you please state your name for the record?

RADHESHYAM SHRESTHA: Radheshyam

R-A-D-H-E-S-H-Y-A-M. Last name is Shrestha

S-H-R-E-S-T-H-A.

PUSPA SHRESTHA: My name is Puspa P-U-S-P-A. Last name is S-H-R-E-S-T-H-A.

CHAIR NICOLE MURATI FERRER: Any relation to the woman before us?

PUSPA SHRESTHA: Yeah.

RADHESHYAM SHRESTHA: Yeah.

CHAIR NICOLE MURATI FERRER: All right,

so can you tell us about Kantipur Cafe?

RADHESHYAM SHRESTHA: We'll be doing -serving food along with pizza and salads. We are
going -- the store is next door, so we will be -nice to operate the restaurant next door.

CHAIR NICOLE MURATI FERRER: And you are going into a space that was already built out?

RADHESHYAM SHRESTHA: Yes.

CHAIR NICOLE MURATI FERRER: It says here that you are not going to serve breakfast but you want to open at 8:00 a.m.?

RADHESHYAM SHRESTHA: Yeah. The current opening hours were from 8:00 to --

CHAIR NICOLE MURATI FERRER: When do you plan to open?

RADHESHYAM SHRESTHA: Probably next month.

CHAIR NICOLE MURATI FERRER: No. I mean, what time? What hours do you plan to have the

place open?

RADHESHYAM SHRESTHA: Well, now, we plan to open from 10:00 to 11:00, but in the future, if our customers ask for us to serve the breakfast, we might open 8:00 or 9:00.

CHAIR NICOLE MURATI FERRER: Okay, so why don't we do 10:00 a.m. to 11:00 a.m. and then if at some point you need more hours, you just submit a request to us, okay?

RADHESHYAM SHRESTHA: Yes.

PUSPA SHRESTHA: Sure.

CHAIR NICOLE MURATI FERRER: Do you have any other questions?

INTERIM POLICE COMMISSIONER BRENT LARRABEE: I do not.

CHAIR NICOLE MURATI FERRER: Will this be your first restaurant in Cambridge?

RADHESHYAM SHRESTHA: Yes.

CHAIR NICOLE MURATI FERRER: Anyone in

favor of this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: Anyone in opposition to this petition?

(No response.)

CHAIR NICOLE MURATI FERRER: So I will say grant with a 10:00 a.m. opening hour.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Thank you.

Do you plan to have entertainment music in the background or anything?

RADHESHYAM SHRESTHA: Yes. Just TV.

Sports channel and news channel.

Do you plan to have one TV, two TVs?

RADHESHYAM SHRESTHA: One TV.

CHAIR NICOLE MURATI FERRER: And do you

plan to have background music?

RADHESHYAM SHRESTHA: Yes.

That's a separate application but we can add it to this.

RADHESHYAM SHRESTHA: Sure.

CHAIR NICOLE MURATI FERRER: And where do you plan to have -- I have your floor plan here.

Show me where you would put the TV, please.

RADHESHYAM SHRESTHA: Actually, we revised the plan.

CHAIR NICOLE MURATI FERRER: I will take your menu and lease.

RADHESHYAM SHRESTHA: This is the floor plan.

CHAIR NICOLE MURATI FERRER: This would be your revised plan?

RADHESHYAM SHRESTHA: Just out the door.

CHAIR NICOLE MURATI FERRER: Mark it right there and just put "TV" there.

RADHESHYAM SHRESTHA: (Complying.)

CHAIR NICOLE MURATI FERRER: Okay.

Perfect. Thank you.

Your basement will be for storage?

RADHESHYAM SHRESTHA: Yes.

CHAIR NICOLE MURATI FERRER: So with those amendments I would add the basement for storage to the premise description, a 10:00 a.m. opening hour, and one TV with background music below conversation level.

I would vote to grant.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Grant.

CHAIR NICOLE MURATI FERRER: Granted.

Let's take a break, please. A five-minute break.

Thank you.

(Short Recess Taken.)

ADMINISTRATIVE MATTERS

SATER REALTY, LLC

CHAIR NICOLE MURATI FERRER: Back on the record. Now moving onto administrative matters.

Sater Realty, LLC requests the Board to reconsider sua sponte its vote of May 24, 2017 regarding the cancellation hearing held pursuant to General Law Chapter 137, Section 77 as to all alcohol license number ACH01615 a/k/a T.T. The Bear's.

Now this is probably just for you and Mahoney since my vote was the dissenting vote.

Quite frankly, "sua sponte" means without prompting a suggestion and this is quite the opposite, so I would say no action on this and we just acknowledge we received the letter.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I would acknowledge receipt with a note that when Commissioner Mahoney comes back,

we talk to him about it.

CHAIR NICOLE MURATI FERRER: So why don't we continue then to 8-9-17. We'll defer and continue to 8-9-17.

THE CHEESECAKE FACTORY

CHAIR NICOLE MURATI FERRER: The

Cheesecake Factory, holder of an all alcohol

license and entertainment license at

Cambridgeside Galleria has presented notice that

Matthew Clark has replaced Wayne Douglas Benn as

chief financial officer.

We should just acknowledge this because there's an application coming. The application has to be filed for us to approve anything.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Acknowledged.

SHALIMAR, INC.

D/B/A DOSA FACTORY

CHAIR NICOLE MURATI FERRER: Board

Investigator Headley went in today and confirmed
they are, in fact, using the license. I would
say this matter is now moot.

INTERIM POLICE COMMISSIONER BRENT
LARRABEE: Concur.

CHAIR NICOLE MURATI FERRER: Operating as of 7-26-17.

EMMASLICES, INC.

CHAIR NICOLE MURATI FERRER: Board to

vote on matter deferred from July 12, 2017

Emmaslices, Inc, wine and malt license at 40

Hampshire Street, failure to properly renew/pay

second half fee and informational hearing

pursuant to General Law Chapter 138, Section 77.

We did note and we did receive notice

that they did receive -- we do have proof that they received notice and they didn't show up.

Therefore, I would say that the licensee didn't properly renew and the license is expired, or in the alternative, the license is cancelled for failure to comply with the provisions of Chapter 138 and to properly put the license into use.

INTERIM POLICE COMMISSIONER BRENT
LARRABEE: Concur.

CREMA, LLC

CHAIR NICOLE MURATI FERRER: Board to vote on matter deferred from April 26, 2017.

Crema, LLC d/b/a Crema Cafe has applied for a vendor/peddler license to operate a bicycle along the city streets to sell coffee, dog biscuits, prewrapped cookies, pastries.

Finally, they had submitted to us a

proposed route. They have made changes to the proposed routes for stops. We have confirmed with the other city departments, such as DPW, as to what they need to do, and so right now, they want us to approve it so they can vend at Cambridge Common at -- on the sidewalk and also pending the Police Commissioner's approval pursuant to 536060 and not in the playground but on the sidewalk in Corcoran Playground, 157 Walden Street, not in the playground but on the sidewalk at St. Peter's Field at 65 Sherman Street, on the sidewalk across from Cadbury or in the parking lot, Danehy Park on 94 Sherman Street in the parking lot, not in the park, at the intersection of 98 Haskell Street and Pemberton Street on the sidewalk behind home plate of baseball field, at the Porter T at the intersection of Somerville Avenue and White Street under the windmill, at Harvard University

at the intersection of Oxford Street, pending police approval from the Police Commissioner's approval pursuant to 536060. At the Cambridge Library intersection of Broadway and Trowbridge pending Police Commissioner's approval pursuant to 536060, Sennott Park at the intersection of 305 Broadway and Tremont Street on the sidewalk, not in the park, and at Loughrey Walkway at the intersection of Ames Street and Broadway, and MIT at the intersection of Main Street and Vassar Street.

So if we approve, they would need to apply for a use -- a business use of sidewalk permit with DPW and that needs to be approved by the City Council as well, and they need to apply with the Police Commissioner at the three locations that require police approval.

Based on what they've presented to us and everything else, I would approve and grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Grant.

CHAIR NICOLE MURATI FERRER: Granted.

GETNETE TESSEMA

CHAIR NICOLE MURATI FERRER: Now we have the consideration of the following Hackney renewals.

Getnete Tessema. We have a memo from Officer Szeto. Mr. Tessema has four moving violations in the last four years. One violation in 2013 for failure to use safety, and 2015 for failure to stop, and 2016 for texting, and in 2017 for failure to stop.

Officer Szeto recommends due to the high demand of drivers he be renewed for a one-year probationary period.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted with one-year probation.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Benny followed up to see if there's

any --

CHAIR NICOLE MURATI FERRER: A lot of these -- these are renewals, so a lot of these, they have jobs. They just don't have shifts.

Now the next one is actually not a Hackney driver but a jitney application. And I would defer to your thoughts on that based on the CORI issues.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Can we come back to that so I can take time to look at it?

CHAIR NICOLE MURATI FERRER: I'll defer on him.

SAAD YACOUB

CHAIR NICOLE MURATI FERRER: The next one is Saad Yacoub. And Mr. Yacoub, we denied his renewal based on our old rule of seven years. So I asked Mr. Szeto to reach out and see if he still wanted his license, and with our new rule of only a four-year history he only has three moving violations, so I would vote to grant the renewal.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Vote to grant.

CHAIR NICOLE MURATI FERRER: Granted.

CHAD BENNETT

CHAIR NICOLE MURATI FERRER: Chad Bennett on behalf of John Moriarty and Associates applied for two special noise variances at 88 Ames Street to erect precast panels from July 31, 2017 through October 31, 2017, 7:00 p.m. to 3:00 a.m.

and to pour concrete columns, walls and slabs for the high-rise project from August 1, 2017 through February 1, 2018, 6:00 p.m. to 10:00, p.m., Monday through Friday, and 7:00 a.m. to 5:00 p.m. on Saturday.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

ERIC TOMASINI

Tomasini on behalf of Brightview Landscape

Development has applied for a special noise

variance for July 27, 2017 through September 15,

2017 from 6:00 p.m. to 11:00 p.m., weekdays only,

in the courtyard surrounded by 211 Mass Ave, 22

Windsor Street and 181 Mass Ave for a mini

excavator and concrete buggies. They need to do

it during these hours to void safety issues with

pedestrians.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

MIKE'S PASTRY, INC.

CHAIR NICOLE MURATI FERRER: Mike's

Pastry, Inc., holder of a common victualler

license at 11 Dunster Street is requesting to

change their d/b/a to Mike's Pastry 1, Inc., and

has notified us of their new tax ID number.

That's how we put it on the agenda, that's not

actually what they applied for.

They are applying for changing their corporate name, not their d/b/a, to Mike's Pastry, Inc.

There's no changes in terms of ownership.

It is just they need a new tax ID and have to reapply.

We have all of the information and the corporate paperwork and their d/b/a remains as Mike's Pastry.

Granted.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

TOIRM MILLER

CHAIR NICOLE MURATI FERRER: Toirm Miller on behalf of Stoked Pizza, Brookline, holder of a vendor/peddler license is requesting to vend at 32-34-36 Cambridgepark Drive on Wednesday from 11 a.m. to 3 p.m. through October 25, 2017. They have gotten one days and we've had no issues and they have all their paperwork in line, so I would vote to grant.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

CHRISTOPHER WANDELL

CHAIR NICOLE MURATI FERRER: Christopher
Wandell on behalf of Los Amigos Food Trucks, LLC,
Northeast of the Border, holder of a

vendor/peddler license is requesting to vend at
Third and Binney Streets on Wednesday and Friday
for three consecutive hours between the hours of
7:30 a.m. through 9:00 p.m. through November 24,

The three consecutive hours is a condition of the Cambridge Redevelopment Authority.

Granted.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

PRESIDENT AND FELLOWS OF HARVARD COLLEGE

CHAIR NICOLE MURATI FERRER: President

and Fellows of Harvard College d/b/a Littauer

Center for Public Administration, holder of malt and wine educational license number ACH02602 at 79 JFK Street is requesting a change of d/b/a to Harvard Kennedy School.

Granted.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Grant.

RAMI'S FOOD TRUCK, LLC

Truck, LLC, holder of peddler license number

PED10062, has changed their corporate name to

Chik Chak Food Truck, LLC. They are asking to

change their name. This was with regard to that

same matter we heard with the lawsuit between the

partners.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Duly noted.

PEDDLER'S LICENSES

will discuss the current procedure of requiring applicants for peddler's licenses to present the application at a public hearing before the Board as a matter of course.

So right now, as a matter of course, we request anyone that is applying for a peddler's license, basically a food truck, to come in and talk to us about the food truck before we grant it.

So I was going to suggest that we put those applications on the Administrative agenda as a matter of course, and if there are any questions, then put it on the hearing, on the public hearing agenda -- on the public testimony

portion of the agenda.

LARRABEE: Yes. That would make more sense.

INTERIM POLICE COMMISSIONER BRENT

CHAIR NICOLE MURATI FERRER: Because I feel most of the times, we just -- you know, we have all the information there, they have their safety license and everything else.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: I agree.

CHAIR NICOLE MURATI FERRER: So change to Admin with the caveat that we can always call them in for a hearing.

NICK ZAPPIA

CHAIR NICOLE MURATI FERRER: Nick Zappia has requested that the second half alcohol payment for The Blue Room be reimbursed as the restaurant closed July 1, 2017.

We can actually do this under Chapter

138, Section 23. He has surrendered the license, he surrendered it as of half of the year and the second half came in before, and so I would say that we reimburse the second half payment.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Agreed. Granted.

CHAIR NICOLE MURATI FERRER: Granted.

AUCTIONEER LICENSE FEE

CHAIR NICOLE MURATI FERRER: The auctioneer license fee currently is \$60.

To make it comparable and with the same license fee as all other licenses of similar nature, I would propose we change the fee to \$100.

It also covers the administrative costs that are associated with processing the applications, issuing the licenses, and monitoring these licenses.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

STEPHEN MEUSE

CHAIR NICOLE MURATI FERRER: Stephen

Meuse on behalf of the City of Cambridge Traffic,

Parking and Transpiration Department applied for

a noise variance to be exercised throughout the

city from August 7, 2017 through December 31,

2017 during the hours of 8:00 p.m. to 5:00 a.m.

The variance is needed to repaint all markings throughout the city. Sometimes grinding machines will be used.

They have informed us the manner in which they were going to notice when they are going to use the grinder is through the City's weekly on-line newsletter or distributed leaflets of flyers within the vicinity of the proposed

operations. I would propose to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

MICHAEL CLARKE

CHAIR NICOLE MURATI FERRER: Michael

Clarke on behalf of JDC Demolition Company

applied for a noise variance to be exercised at

9-19 Columbia Street and 433-445 Mass Ave from

July 31, 2017 through August 8, 2017 between the hours of 11:00 p.m. and 7:00 a.m.

The variance is needed to cut and cap water, sewer and rain utility lines for building demolition.

So, obviously, based on that, I would say granted.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Also as an FYI, the Water Department is giving notice of the work to the residents. One-day licenses -- permits.

ONE-DAY LICENSES, PERMITS

ARLYN DEPAGTER

CHAIR NICOLE MURATI FERRER: One days.

Arlyn dePagter has applied for a malt and wine license to be exercised at MIT -- are you here for something in particular?

UNIDENTIFIED AUDIENCE MEMBER: Chamber of Commerce ones.

CHAIR NICOLE MURATI FERRER: Arlyn

dePagter has applied for a malt and wines license

to be exercised at MIT, 100 Main Street,

Cambridge on August 4 from 4 to 6 p.m. for a

reception. Expected attendance 215.

Granted. Police detail required.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

DIANA MUNN

CHAIR NICOLE MURATI FERRER:

Diana Munn has applied for a malt and wine license to be exercised at Harvard, 11 Divinity Avenue,

Cambridge on 7-27 from 6 to 9 for an exhibition reception. Expected attendance is 200.

I will grant with the caveat that there needs to be a limited number of drinks related to the admission charge otherwise the alcohol must be sold and a police detail required.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

JENNIFER CLEARY

CHAIR NICOLE MURATI FERRER: Jennifer

Cleary on behalf of The Briar Group has applied for ten all alcohol license to be exercised at 450 Kendall Street, South Plaza Kendall Square on July 29, August 9 from 2 to 6, on August 1, 8, 15, 22, 29, September 5, 12 and 19 from 6 p.m. to 8:00 p.m. for a cocktail reception and cornhole. Expected 40 people.

On the agenda posted, these were characterized as malt and wine and they applied for all alcohol; however, I would only grant as a malt and wine because they are a for-profit corporation, and this is a for-profit event.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Madam Chair, can you tell me what a cornhole is?

CHAIR NICOLE MURATI FERRER: It's that little thing and you throw the little sack.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: That's what I thought. Thank you.

CHAIR NICOLE MURATI FERRER: The little thing with the thing in the sack. You got it, right? You understood me, right?

So granted with notifications of the malt and wine only.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: As to all.

KAYLEE PLATT

CHAIR NICOLE MURATI FERRER: Kaylee Platt
on behalf of The Briar Group has applied for an
all alcohol license to be exercised at 450
Kendall Street, South Plaza Kendall Square on
September 30 from 12:00 p.m. to 7:00 p.m. for a
cocktail reception, Oktoberfest. 100 people
expected.

This would be the same thing. I would grant only as a malt and wine license. They are

a for-profit corporation.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: Granted.

SHELLEY NEIL

on behalf of the Multicultural Arts Center has applied for a malt and wine license to be exercised at 41 Second Street on August 2 from 7:00 p.m. to 10:00 p.m. for the 5th anniversary party at Bridge Rep. Expected attendance 100 people.

Granted.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

HELEN HO

CHAIR NICOLE MURATI FERRER: Helen Ho has

applied for an all alcohol license to be
exercised at 10 Brookline Street on August 12
from 10:00 a.m. to 4:00 p.m. for a wedding.
Expected attendance is 100.

I would deny this license because this is the same address as T.T. The Bear's license currently, one tenant, under Chapter 138, you cannot have two pouring licenses associated with the same address.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: When did this happen?

CHAIR NICOLE MURATI FERRER: Well, they rented out the space and they want to have a wedding but they can't have a wedding because that license is not in use and they can't get a license there until that license is still rented to that premises.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: I agree.

CHAIR NICOLE MURATI FERRER: Denied.

SEAN O'CONNOR

CHAIR NICOLE MURATI FERRER: Sean

O'Connor has applied for an all alcohol license
to be exercised at Workbar, 45 Prospect Street on
July 29 from 7:00 p.m. to 11:00 p.m. for a

fundraiser. Expected attendance 150 people.

Actually, they are a for-profit corporation but this is a not-for-profit event.

They have submitted information and proof that all the proceeds will be donated to Resilient Coders, which is a nonprofit with a 501(c)(3), so I would grant.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Grant.

SARAH KENNEDY

CHAIR NICOLE MURATI FERRER: Sarah

Kennedy on behalf of the Cambridge Chamber of

Commerce has applied for an all alcohol license

with entertainment license to be exercised at

University Park, 50 Lansdowne Street in Cambridge

on August 2 with a rain date of August 9 from

5:00 p.m. to 8 p.m. for an outdoor food festival

with recorded live music and amplification

system. Expected attendance 800 people.

Now we have from them a letter and information showing us that this will be a not-for-profit event and the proceeds are going to the Rindge School, which is a Cambridge public school, so I would vote to grant as-is.

However, there has to be a limited number of tickets associated with the admission charge, otherwise the alcohol must be sold.

I would grant.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

BILL MANLEY

on behalf of the Harvard Square Business

Association/Grendel's Den, has applied for an entertainment license at Winthrop Park, Cambridge August 6 from 4 to 10 for a concert with patrons performers, entertainers dancing, recorded, live music and amplification. Expected attendance 50 people. The park permit is okay.

But the entertainment must end at 9:00 p.m. They applied to 10:00 but I would only approve until 9:00 p.m. based on the park permit being until 9:00 p.m. only.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

HOWTH, INC.

CHAIR NICOLE MURATI FERRER: Howth, Inc., d/b/a The People's Republik, holder of an all

alcoholic beverages license, has applied for an entertainment license at 876-878 Massachusetts

Ave on August 3, August 30 and September 27 from 9:00 p.m. to 12:00 p.m. for a live band with amplification system.

I think this is a mistake on our agenda.

It is 12 a.m.

9 p.m. through 12 a.m. is how they applied for it. 99 people expected.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Say that one more time, please.

CHAIR NICOLE MURATI FERRER: They are -they are proposing 9:00 p.m. to midnight.
Unfortunately, our staff wrote 9 p.m. to 12:00
p.m.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Can we amend it to a.m.?

CHAIR NICOLE MURATI FERRER: Yes. It is 9 p.m. to 12 a.m.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted. As so noted.

RENEE MEEHAN

CHAIR NICOLE MURATI FERRER: Renee Meehan on behalf of Winn Residential has applied for an entertainment license at Riverside Press Park,

2 Blackstone Street in Cambridge on August 1 from 5:00 p.m. to 8:00 for a National Night Out event with amplification system. 300 people expected.

This went through all Special Events.

They have all the permits. I vote to grant.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

RUSSELL HARDING

CHAIR NICOLE MURATI FERRER: Russell
Harding on behalf of the Margaret Fuller House,
has applied for an entertainment and amusement

license at Clement Morgan Park, 62 Columbia

Street on August -- I mean, September 9 from 10

a.m. to 6 p.m. for a festival with performers,

entertainers dancing, recorded, live music and

amplification system. Expected 200 people.

This also went through Special Events.

Granted.

KALINA SCHLONEGER

CHAIR NICOLE MURATI FERRER: Kalina

Schloneger has applied for an entertainment

license at MIT Kresge Auditorium, 48 Mass Ave,

Cambridge on August 12 from 8 p.m. to 10 p.m. for

a concert with recorded live music. Expected

attendance 550 people. Granted.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

CHARLES LINEHAN

CHAIR NICOLE MURATI FERRER: Charles

Linehan on behalf of the Marsh Post 442, American

Legion, holder of a club all alcohol beverages

license has applied for an entertainment license

at Gerry's Landing, Cambridge on July 27 from

6:50 p.m. to 11 p.m. for a party with patrons

dancing and recorded, Brad.

Live music. Expected attendance 500 people.

They have their DCR permit and event has been approved by DCR.

Police detail required for the lieutenant. So I would vote to grant with police detail.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: It's a last minute, huh?

CHAIR NICOLE MURATI FERRER: Yup.

We got that Monday.

ALEXANDRA ZUBOWSKI

CHAIR NICOLE MURATI FERRER: Alexandra

Zubowski on behalf of Commonwealth Cambridge has

applied for an entertainment license at 11 Broad

Canal on August 5 from 6 p.m. to 12 a.m. for a

wedding reception with patrons dancing, recorded,

live music and amplification system. Expected

attendance of 100 people.

Granted.

ELISHA BENDOR

CHAIR NICOLE MURATI FERRER: Elisha

Bendor on behalf of Hubspot has applied for an entertainment license at Gore Street Field at 141

Gore Street on July 27 from 1 p.m. to 5 p.m. for an Employee Field Day with an amplification system.

The park permit has been approved. I would vote to grant.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

DYLAN ARCHAMBAULT

CHAIR NICOLE MURATI FERRER: Dylan

Archambault, d/b/a Dylan & Pete's Ice Cream, has

applied for a vendor's permit to sell ice cream

(pre-package) at North Point Common on 30 North

Point Boulevard on July 27 from 5:30 to 8:30 p.m.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted. Last minute.

CHAIR NICOLE MURATI FERRER: Granted.

Yup.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Good thing I showed up.

CHAIR NICOLE MURATI FERRER: Yeah.

ALVARO SANDOVA

CHAIR NICOLE MURATI FERRER: Alvaro

Sandoval (sic) d/b/a Tenoch Mexican has applied for a vendor's permit to sell food at North Point Common at 30 North Point Boulevard on July 27 from 5:30 to 8:30 p.m.

This is an annual licensee and all their paperwork is up to date.

Granted.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: For the record, it is Sandova, not Sandoval.

ARI KENDALL

CHAIR NICOLE MURATI FERRER: Ari Kendall d/b/a Chik Chak has applied for a vendor's permit to sell food at North Point Common at 30 North Point Boulevard on July 27, 5:30 to 8:30.

Annual licensee as well. Everything is up to date.

Granted.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

DEBORAH AVANT

CHAIR NICOLE MURATI FERRER: Deborah

Avant on behalf of the Cambridge Jazz Festival

has applied for a vendor's permit to sell musical

instruments, arts, crafts, jewelry, clothing, and

other miscellaneous items at Danehy Park, 99

Sherman Street and they today brought in also an

application for a one-day entertainment license

for recorded, live music, amplification and

performers dancing on July 30 from noon to 7 p.m

(sic).

This went through Special Events and everything is up to date in terms of the other permits, so I would vote to grant on both.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted.

MICHAEL MONESTIME

CHAIR NICOLE MURATI FERRER: Michael

Monestime on behalf of the Central Square

Business Association applied for a one-day hawker

and peddler license for 105 vendors (names are on

the list attached to the application,

incorporated herein by reference, and made a part

hereof) to sell arts and crafts, jewelry,

clothing and other miscellaneous items at the

parking lot at 95 Prospect Street on July 30 from

11 a.m. to 5 p.m.

Granted.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

CHAIR NICOLE MURATI FERRER: With police detail required.

IMPROVISATION CENTER OF BOSTON, INC.

CHAIR NICOLE MURATI FERRER:

Improvisation Center of Boston, Incorporated, doing business as ImprovBoston, holder of a common victualler wine and malt license at 40 Prospect Street has requested a one-day extension of hours from 1:01 a.m. on August 5 through 10:59 on August 6 for an overnight 35-hour comedy marathon.

They will continue through their regular operating hours on August 6.

So I would vote to grant but make very clear that alcohol sales need to stop at 2:00 in accordance with the state law. Even though they have a 1 a.m. closing hour on alcohol, I would extend to 2 a.m. And that alcohol operations could not start until 8 a.m. which is also -- I mean -- no. 10 a.m., Which is also in accordance with the law.

Sound good.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Granted with those restrictions noted.

CHAIR NICOLE MURATI FERRER: Granted.

YETIJUR FERTOCH

CHAIR NICOLE MURATI FERRER: Yetijur

Fertoch has applied for a one-day malt and wine

with entertainment license for a floor show,

performers dancing and exhibition to be exercised

at 1950 Mass Ave on July 29 from 6 p.m. through

12 a.m. 100 to 120 people expected.

And they have submitted the letter from the hall that they rented.

Granted.

INTERIM POLICE COMMISSIONER BRENT LARRABEE: Granted.

SECOND CALLS

BRIGHTVIEW LANDSCAPING SERVICES

CHAIR NICOLE MURATI FERRER: Now, back to the second call, and I think some of these are not showing up because they sent letters. Let me look through this. Okay.

The first second call is a Brightview Landscape Services.

(No response.)

5:10 p.m., they got -- for 3:00 I would say that we proceed on this and this was basically two violations supposedly operating on June 28.

There was a police response, but they did submit this. They have no previous violations. They have -- they have been permitted and have no previous violations.

I would vote a violation and issue a \$300 fine.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Concur.

BELMONT LANDSCAPING

CHAIR NICOLE MURATI FERRER: Belmont

Landscaping. For an alleged violation on June

17, they actually submitted a letter, apparently
they got notice. I don't know why they say this.

They say they got notice for not having a permit,
but I have the notice here and nothing in the
notice mentions they have a permit. So I'm not
quite sure why they say that.

But they do admit in the letter that they were using the blowers.

The police also responded to this call.

They said after the police informed them, they stopped, so they would hope that this one off will be viewed as a warning only. That's what they have requested.

They do not have a previous violation on record. They did submit the statement, so I would say a violation warning.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Concur. I think the Board should, at some point, I know we talked about this particular ordinance, maybe it should be when the full board is in session, a discussion -- have a discussion at some point.

CHAIR NICOLE MURATI FERRER: You want to discuss more the ordinance?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Yes. I mean, I don't know how to

phrase it. I just -- sometimes I feel we never

know if it is a dispute amongst neighbors with

the people who are doing the work.

We have people that come in here who never had -- have been working many, many years and have never had any problems and now all of a

sudden, \$150, \$300 is a mighty hefty sum. I know I have no control over that but maybe there's a way we can structure things, so that it's a warning, you know, more formal warning.

CHAIR NICOLE MURATI FERRER: Well, most of them have. So a lot of these companies have already gotten -- they either have gotten a warning letter or they've gotten a cease and desist if they weren't permitted with the Board or with the License Commission, as they are supposed to.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I recognize that there's a lot of

landscape companies.

CHAIR NICOLE MURATI FERRER: The thing is also that I think now the difference between the enforcement now and the enforcement, let's say, five years ago is that now they can do it through the police, through the License Commission,

through email, through See Click Fix, through the city councillors.

I think there's more vehicles that they can use to report these, and before, I think, the complaints were going to different departments.

They were going to the city manager's office, police department. Whereas now, they come to here.

So I think that's also -- but I understand what you are saying.

E.C. HATHAWAY & ASSOCIATES

CHAIR NICOLE MURATI FERRER: Second call at 5:13 p.m. for E.C. Hathaway.

This is the company that refuses to become permitted and continues to operate in Cambridge in violation of the ordinance and this is for two other violations, so I would -- considering their history and considering

everything, I would vote violations of \$300 on each the violations, so \$600 fine.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: That's a little different.

Significantly different in my view.

CHAIR NICOLE MURATI FERRER: Okay. And that is it. I know we have minutes but I don't know where they are and I have never read them.

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Mr. Moussad.

CHAIR NICOLE MURATI FERRER: Huh?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Mr. Moussad.

CHAIR NICOLE MURATI FERRER: You were able to look at that?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: Yes. And I would vote to deny.

GEORGE MOUSSAD

CHAIR NICOLE MURATI FERRER: We go back to the consideration of George Moussad's request for a jitney license. Denied?

INTERIM POLICE COMMISSIONER BRENT

LARRABEE: I vote to deny.

CHAIR NICOLE MURATI FERRER: I concur.

Denied.

And that is it. Thank you.

(Meeting adjourned)

ERRATA SHEET

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any change or	$\hbox{correction and}\\$	the	reason th	nerefor
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I have read the foregoing transcript, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

 	 	 	 _

CERTIFICATION

Commonwealth of Massachusetts
Norfolk, ss.

I, Jill Kourafas, a Notary Public in and for the Commonwealth of Massachusetts, do hereby certify:

That the hearing herein before set forth is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of July 2017.

Jill Kourafas Certified Shorthand Reporter License No. 14903 Notary Public

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