

Nicole Murati Ferrer  
Chairperson

Chief Gerald R. Reardon  
Fire Department  
Commission Member

Acting Commissioner Christopher J. Burke  
Police Department  
Commission Member

# CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139



City of Cambridge  
Elizabeth Y. Lint  
Executive Director

## License Commission Hearing Agenda

Wednesday, January 11, 2017 at **three o'clock**

Michael J. Lombardi Building  
831 Massachusetts Avenue  
Basement Conference Room

*The following are matters which the Chair reasonably anticipates will be discussed, and for which public testimony will be taken, as of 3:00 p.m.*

- 1) Application      Transfer of the Common Victualler All Alcoholic Beverages License from Bowery Cambridge, LLC at 52 Church Street to Facility Concession Services, Inc., d/b/a The Sinclair, at 52 Church Street, Jason Reed as proposed Manager of Record of a premise described as: First floor has two exits and entrances, lounge, three bars, performance hall, stage, storage area and restrooms. Second floor has a dining room, two bars, kitchen, restrooms, mezzanine, and seasonal outdoor patio seating.
- 2) Application      Cillstifiann, Inc. d/b/a The Druid, holder of a Common Victualler All Alcohol License at 1357 Cambridge Street has applied for a Change of Officers/Directors; Transfer of Stock; and Change of Closing Hour to 2:00a.m. seven days per week.
- 3) Application      Deanta Corporation d/b/a Phoenix Landing, holder of a Common Victualler All Alcohol License at 512 Massachusetts Avenue has applied for a Change of Hours to close at 2:00a.m. seven days per week.
- 4) Violation          Cosco Landscape Co. alleged violation of Cambridge Municipal Ordinance 8.16.081(F)- *On parcels of 10,000 square feet or less, only one leaf blower at a time may be used-* on November 10, 2016 at numbers 9, 13, and 15 Wendell Street.
- 5) Violation          John's Landscape, holder of leaf blower permit #10013, for alleged violation of Cambridge Municipal Ordinance 8.16.081.2: *(f)- On parcels of 10,000 square feet or less, only one leaf blower at a time may be used.* Specifically, it is alleged that on November 30, 2016 at 10:30a.m., December 10, 2016 at 11:30a.m., and December 14, 2016 at 1:50p.m. at 55-57 Park Avenue you were in violation of this ordinance.

- 6) Violation Lesley University, holder of Leaf blower Permit #10011, for alleged violation of Cambridge Municipal Ordinance 8.16.081.2: (e)- *All leaf blowers shall satisfy the emissions standards of the United States Environmental Protection Agency and noise level standards as follows: the sound emitted from any leaf blower shall be rated by the manufacturer to be no greater than 65 decibels and (f)- On parcels of 10,000 square feet or less, only one leaf blower at a time may be used.* Specifically, it is alleged that on November 21, 2016 you were in violation of this ordinance.
- 7) Cancellation CDM International Enterprises, Inc. d/b/a O Sushi, holder of a Common Victualler All Alcohol License at 104 Mount Auburn Street pursuant to G.L. c.138 §77 and G.L. c.140 §9.
- 8) Informational Huamulan Restaurant, Inc. d/b/a Mulan Taiwanese Restaurant, holder of a Common Victualler Wine & Malt License at 228 Broadway pursuant to G.L. c.138 §77 and G.L. c.140 §9.
- 9) Cancellation Dip Dog, Inc. d/b/a Hungry Mother, holder of a Common Victualler All Alcohol License at 233 Cardinal Medeiros Avenue pursuant to G.L. c.138 §77 and G.L. c.140 §9.
- 10) Violation Belmont Landscaping alleged violation of Cambridge Municipal Ordinance 8.16.081.2: (c)- *Commercial leaf blower operators and owners of one or more adjoining parcels of land in common ownership that together comprise a total of two (2) acres or more seeking to operate leaf blowers on such land shall not be permitted to operate leaf blowers, but may be exempted from the prohibition of this subsection 8.16.081.2.2(c) if they submit an operations plan to the City Manager or his or her designee for review and approval. At a minimum, the operations plan shall: address the owner's or operator's efforts to mitigate the impacts of noise and emissions upon citizens and the occupants and owners of nearby property, include an inventory of all leaf blowing equipment owned and to be used by the owner or operator in its operations program, which shall comply with the noise and emission restrictions set forth in this Leaf Blower Ordinance and regulations promulgated hereunder, and include the owner's or operator's plan for educating users of its equipment on the proper use of equipment as well as the need to mitigate impacts upon others. The operations plan shall be reviewed by the City Manager or his or her designee, who shall ensure that it complies with the applicable provisions of this Leaf Blower Ordinance and regulations promulgated hereunder, and shall impose any conditions that may be required in order for the owner or operator to comply with the provisions of this Leaf Blower Ordinance and regulations promulgated hereunder. No operations plan submitted by owners of one or more adjoining parcels of land in common ownership that together comprise a total of two (2) acres or more seeking to operate leaf blowers on such land shall be approved by the City Manager unless there has been a showing of significant hardship.* Specifically, it is alleged that on November 19, 2016 at 11:30a.m. at Santa Maria Hospital you were in violation of this ordinance.

11) Violation Buckingham, Browne and Nichols for alleged violation of Cambridge Municipal Ordinance 8.16.081.2: (b)- *The use of leaf blowers is further prohibited on Sundays and legal holidays except Columbus Day and Veterans' Day and prohibited on other days except between the hours of 8:00 a.m. and 5:00 p.m. Mondays through Fridays and 9:00 a.m. and 5:00 p.m. Saturdays, Columbus Day and Veterans' Day. Commercial leaf blower operators may operate leaf blowers between the hours of 12:00 noon and 5:00 p.m. only on Columbus Day and between the hours of 1:00 p.m. and 5:00 p.m. only on Veterans' Day, consistent with the provisions of G.L. c. 136, §13 as it may be amended* and (c)- *Commercial leaf blower operators and owners of one or more adjoining parcels of land in common ownership that together comprise a total of two (2) acres or more seeking to operate leaf blowers on such land shall not be permitted to operate leaf blowers, but may be exempted from the prohibition of this subsection 8.16.081.2.2(c) if they submit an operations plan to the City Manager or his or her designee for review and approval. At a minimum, the operations plan shall: address the owner's or operator's efforts to mitigate the impacts of noise and emissions upon citizens and the occupants and owners of nearby property, include an inventory of all leaf blowing equipment owned and to be used by the owner or operator in its operations program, which shall comply with the noise and emission restrictions set forth in this Leaf Blower Ordinance and regulations promulgated hereunder, and include the owner's or operator's plan for educating users of its equipment on the proper use of equipment as well as the need to mitigate impacts upon others. The operations plan shall be reviewed by the City Manager or his or her designee, who shall ensure that it complies with the applicable provisions of this Leaf Blower Ordinance and regulations promulgated hereunder, and shall impose any conditions that may be required in order for the owner or operator to comply with the provisions of this Leaf Blower Ordinance and regulations promulgated hereunder. No operations plan submitted by owners of one or more adjoining parcels of land in common ownership that together comprise a total of two (2) acres or more seeking to operate leaf blowers on such land shall be approved by the City Manager unless there has been a showing of significant hardship. Specifically, it is alleged that on December 1, 2016 at 7:30a.m. you were in violation of the ordinance.*

12) Application Coffeeshop, LLC d/b/a UpperWest, holder of a General on Premise All Alcohol License at 1 Cedar Street, B, has applied for a Change of Hours to close at 2:00a.m. seven days per week.

13) Disciplinary Elm Street, LLC d/b/a Lone Star Taco Bar, holder of a Common Victualler All Alcoholic Beverages License at 635 Cambridge Street for alleged violation of the Rules and Regulations of the City of Cambridge Board of License Commissioners. Specifically, it is alleged that there was a violation of Rule 7- *Admission to Premise-* and Rule 7.6- *Licensees must comply with Cambridge Municipal Code Chapter 2.76 and cannot discriminate on the basis of race, color, sex, age, religious creed, disability, national origin or ancestry, sexual orientation, gender, marital status, family status, military status or source of income.*

14) Application Clover Fast Food, Inc. d/b/a Clover Food Lab, holder of a Common Victualler License at 496 Massachusetts Avenue has applied for a new Common Victualler Malt Only Beverages License to be exercised at 496 Massachusetts Avenue with proposed hours of 11:00a.m. to 2:00a.m. seven days per week with seating for 49 inside and 24 patio seats on the public sidewalk, Robert Christensen, as proposed Manager of Record of a premise described as: 1490 Sf ground floor space with 2 entrances/ exits. 250 SF patio on the public sidewalk with 24 seats.

15) Cancellation T.T. the Bear's Place, Inc. holder of a Common Victualler All Alcohol License at 10 Brookline Street pursuant to G.L. c.138 §77 and G.L. c.140 §9.

**ADMINISTRATIVE MATTERS:**

- 1) Clover Fast Food, Inc. located at 485 Massachusetts Avenue, has applied for an entertainment license for an audio tape machine/CD/Computerized digital media playing music below conversation level.
- 2) Clover Fast Food, Inc. located at 1075 Cambridge Street/302 Elm Street, has applied for an entertainment license for an audio tape machine/CD/Computerized digital media playing music below conversation level.
- 3) Sumiao Xiang Restaurant, LLC has informed the License Commission that they are under construction and plan to open by mid-April, 2017.
- 4) Sumiao Xiang Restaurant, LLC has applied for an entertainment license for Media playing music above conversation level and a phonograph record machine, TV, Video screen or film projector.
- 5) Kaya-Ka, Inc. d/b/a Porterhouse Grill, has informed the Commission that they will open the restaurant as soon as they hire a chef.
- 6) Phi Beta Epsilon, 400 memorial Drive, holder of license number LIN10077, is requesting a change of manager from Matthew Angle to Roy Russell.
- 7) JCNA d/b/a Wafuya, has notified the License Commission that they will be closed for renovations from December 19 through January 19, 2017.
- 8) East-West Trans, Inc. is seeking approval of the transfer of medallion 245 from PGB Cab, Inc.
- 9) PR Restaurants, LLC d/b/a Panera Bread is requesting a change in hours from 6AM to 9PM Sunday through Saturday to Sunday 7AM to 10 PM and Monday through Saturday 6AM to 10PM.

#### **MALT & WINE LICENSES WITH OR WITHOUT ENTERTAINMENT:**

- 1) Scott Fraser on behalf of Ballet Theatre of Boston, has applied for a malt and wine with entertainment license to be exercised at Jose Mateo Theatre, 400 Harvard Street, Cambridge, on 2/17, 18, 19, 24, 25, 26 and 3/2, 3, 4 & 5 8:00 p.m-10:00 p.m Sundays (2/19, 26 and 3/5 4:00 p.m.-6:00 p.m. for a concert. Expected attendance - 80 people.
- 2) Scott Fraser, on behalf of Ballet Theatre of Boston, has applied for a malt and wine with entertainment license to be exercised at Jose Mateo Theatre, 400 Harvard Street, Cambridge, on 3/24, 25, 26, 31 and 4/1, 2, 6, 7, 8, & 9 8:00 p.m. – 10:00 p.m. Sundays (3/26, 4/2 & 8) 4:00 p.m. -6:00 p.m. for a concert. Expected attendance – 80 people.
- 3) Aliz Pagliarini, has applied for a malt with entertainment license to be exercised at Urban Outfitters, 11 JFK Street, Cambridge, on 1/12/17 from 6:00 p.m.- 9:00 p.m. for live music. Expected attendance – 100 people.
- 4) Peter Dimuro, has applied for a malt and wine license to be exercised at The New Dance Complex, 536 Massachusetts Avenue, Cambridge, on 1/14, 15, 20, 21, 22, 27, 28 and 2/11, 12, 18 & 19 from 6:30 p.m.-10:30 p.m. for dance recitals. Expected attendance – 80 people.
- 5) Eric Propp, has applied for a malt and wine license to be exercised at The Garment District, 200 Broadway, Cambridge, on 1/19/17 from 5:00 p.m. – 8:00 p.m. for a customer appreciation event. Expected attendance – 60 + people.
- 6) Ben Pertler, has applied for a malt and wine license to be exercised at MIT, 100 Main Street, Cambridge, on 2/6/17 from 5:30 p.m. – 7:00 p.m. for a reception. Expected attendance – 45 people.

#### **ENTERTAINMENT LICENSES ONLY:**

- 1) Jennifer Yu, has applied for an entertainment license for a banquet at MIT Morse Hall, 142 Massachusetts Avenue, Cambridge, on 2/17/17 from 6:30 p.m. – 10:30 p.m. Expected attendance – 200 people.
- 2) Kennedy Edmonds, has applied for an entertainment license for a parade at Massachusetts Avenue, Cambridge, on 1/26/17 from 2:45 p.m. - 3:15 p.m. Expected attendance – 300 people.

PLEASE NOTE THAT THE ORDER IN WHICH MATTERS ARE LISTED DOES NOT GUARANTEE IT IS THE ORDER WHICH THEY WILL BE CALLED. AS SUCH, PLEASE BE SURE TO ARRIVE AT THE NOTICED TIME OF 3:00PM.

A handwritten signature in blue ink, appearing to read "Elizabeth Keene". The signature is written in a cursive style with a large initial "E".

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Executive Director