



# CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER  
CHAIRPERSON | BOARD MEMBER

CHRISTINE A. ELOW  
POLICE COMMISSIONER | BOARD MEMBER

THOMAS CAHILL, JR.  
FIRE CHIEF | BOARD MEMBER

## BOARD OF LICENSE COMMISSIONERS' MEETING MINUTES

Tuesday, January 10, 2023, 10:30 a.m.

By Remote Participation Via Zoom

*This meeting was held remotely in accordance with Chapter 107 of the Acts of 2022 signed into law on July 16, 2022.*

**Board Members:** Nicole Murati Ferrer (present), Christine A. Elow (absent), and Thomas Cahill, Jr. (present).

**Staff Member Present:** Christopher O'Neil.

**Decisions:** All votes taken were by roll call vote, 2-0, unless otherwise stated.

**Note:** Matters listed as 3 & 4 on the agenda were rescheduled to 1/26/23. Matter listed as #16 has been taken off the agenda indefinitely and if placed back on, will be readvertised and renotification to abutters required.

### Public Testimony Matters

**1. Application #201948** North Point Café, Inc. d/b/a Lingo, 8 Education Street, C.V. All Alcohol License #11346 for a Change of Manager to Erika Gauthier.

**Present:** Erika Gauthier.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Erika Gauthier has experience in the restaurant business for the last 20+ years; Gauthier has been working in the industry, in various roles, since being 18 years old. Gauthier is familiar with the rules and regulations of the Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol. Gauthier provided ServeSafe certification as proof of training in the safe service and sale of alcohol.

**Decision:** Granted.

**2. Application #204592** Whole Foods Market Group, Inc. d/b/a Whole Foods Market, 340 River Street, Common Victualler and Wine & Malt Package Store License #11711, for a Change of Manager to Chester Dingwell IV.

**Present:** Attorney Brent McDonald; and Chester Dingwell IV.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Chester Dingwell IV has 12 years experience in the industry, including at this location and others. Dingwell IV is familiar with the rules and regulations of the Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol. Dingwell IV provided TIPS certification as proof of training in the safe service and sale of alcohol.

**Decision:** Granted.

**3. Application #205404** President & Fellows of Harvard College d/b/a Cambridge Queen's Head Pub, 45 Quincy Street, Educational All Alcohol License #11622 - Change of Manager to Smitha Haneef.

**Decision:** Rescheduled to 1/26/23.

**4. Application #205404** President & Fellows of Harvard College d/b/a The Pub, 1585 Massachusetts Avenue, Educational Malt & Wine License #11450 - Change of Manager to Smitha Haneef.

**Decision:** Rescheduled to 1/26/23.

**5. Application #200348** Fornosa, LLC d/b/a Roust, 148 Mount Auburn Street, has applied for a New Common Victualler License with seating for 19, a total occupancy of 30, and proposed hours of 7:00 a.m. to 3:00 p.m. all days. Chloe Sanders as Manager of a premises described as: On the first floor, 2,000 sq. ft. plus basement. First floor has front entrances and contains full cooking line, a display counter for prepared foods, a retail section and a small café with a coffee bar. There is a full basement for a rest room, manager's office and for storage.

**Present:** Attorney James Rafferty; Valentin Terteliu Hefco; and Michael Spires.

**Documents Considered:** Application and documents attached thereto.

**Summary:** This location continues to have a Package Store Malt and Wine license attached to it – Darwin's. Roust's concept is the same as what Darwin's used to be and they intend to have the Darwin's license transferred to it. Michael Spires will be the proposed manager of record. Although the format is the same, since this is a new corporation, the current issues with the existing employees should not impact the opening of this business. Terteliu Hefco is desirous of opening as a small grocery with café, with baked goods as soon as possible and will file for the transfer of the existing license once the details of that transaction are worked out.

**Decision:** Granted with the manager amended as stated at the hearing; applicant will need to provide the email and phone number for the approved manager of record (Michael Spires).

**6. Application #170651** Fat Heady, LLC, d/b/a Whitney's Cafe, 37 JFK Street, Common Victualler All Alcohol License #99534, has applied for an Alteration of Premises to include an outdoor patio on public property. The proposed premises description is: Approximately 750 square feet with 1 entrance, 2 exits, and 2 floors. Approximately 253 square foot patio on public property in the parking lane.

**Present:** No one appeared.

**Decision:** Not heard/no vote.

**7. Application #199700** Row 34 Cambridge LLC d/b/a Row 34, 314 Main Street, has applied for a New Common Victualler All Alcohol License with proposed hours of 11:00 a.m. to 12:00 a.m. all days with seating for 202 inside, and inside occupancy of 240, and 38 outside patio seats on private property. Meghan Fuchs as proposed Manager of Record of a premises described as: 7,000 sq. ft. including 4,000 sq. ft. on ground floor consisting of bar, seating, kitchen, storage, and 3,000 sq. ft. in basement with bar and table seating, private dining rooms, restrooms, coolers, and storage. 1,500 sq. ft. patio on private property.

**Present:** Attorney Adam Barnosky; Meghan Fuchs; and Shore Gregory.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Row 34, including flagship location in Boston, is listed as a top restaurant in multiple publications. The Chef has created a book that is very popular and shows the public want for this type of operation and cuisine. This location is a new multi/mixed used location in Kendall Square. Not only is there a need for new places to open to replace those that closed during and post Pandemic, but also to address the influx of people this new building will bring (not only tenants but visitors to the businesses located in the building, including a Museum). In addition the building connects to MBTA so there is a lot of foot traffic. This is a large scale development which will bring in a lot of customers and visitors and this proposed business will meet the needs of those persons. It will be a good amenity to the University and Kendall Square. The business concept is the same as the other Row 34 locations throughout Massachusetts.

An updated floor plan was provided with corrective numbers as to capacity and an updated ABCC application page with the updated capacity numbers will be provided. Meghan Fuchs has experience working in the industry including a sister location and the restaurant group. Although has not been a manager of record Fuchs is familiar with the rules and regulations of the Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol. Fuchs has received training in the safe sale and service of alcohol and will provide a ServeSafe certificate to that effect.

**Decision:** Granted.

**8. Application #197548** Area Four Operating, LLC d/b/a Area Four, 500 Technology Square, Common Victualler All Alcohol License #11434, has applied for a Change of Ownership Interests.

**Present:** Attorney Stephen V. Miller; Thomas Miller; Michael Krupp; Jeffrey Pond; and Joseph Barone.

**Documents Considered:** Application and documents attached thereto.

**Summary:** This is a corrective application to update the ownership structure. The changes are as explained in the Summary of Transaction page submitted as an attachment to the application. Joseph Barone is remaining as manager of record. The Class B investors do not have any say in the day-to-day control of the operation. There are no operational changes to the business.

**Decision:** Granted.

**9. Application #203549** Turing Tavern, Inc. d/b/a The Turing Tavern, 1281 Cambridge Street, has applied for a New Common Victualler All Alcohol License with proposed hours of 8:00 a.m. to 1:00 a.m. Monday through Wednesday, 8:00 a.m. to 2:00 a.m. Thursday through Saturday, and 10:00 a.m. to 1:00 a.m. Sunday with seating for 76 and an occupancy of 99. Damien Tubbritt as proposed Manager of Record of a premises described as: Main entrance/exit on street level; restrooms, one dining room with kitchen and bar on ground floor. Basement for storage, office space and prep area (4,400 square feet total).

**Present:** Attorney Dennis Quilty; and Damien Tubbritt. Christine Chan, resident.

**Documents Considered:** Application and documents attached thereto; and correspondence received regarding the application.

**Summary:** This location was previously occupied by Drifter's Tale, which held a Common Victualler All Alcohol License so there is a presumption of need. The proposed concept is a new American style tavern; an everyday meeting place for people with higher quality food than a typical neighborhood tavern. They want to be open late in evening and weekends and expand to brunch. Damien Tubbritt is the owner of Alley Bar owner and was manager of record until late 2022 when Tubbritt transferred the responsibility to another person to be able to concentrate on this location. Based on the community feedback received, Tubbritt is amenable to closing the two garage doors at 11:00 p.m. everyday. It is their intent to provide a neighborhood tavern and they want to make sure they are working with the community.

Tubbritt has extensive experience in the industry. As manager of record had at least one previous infraction but none since 2004. Tubbritt is familiar with the rules and regulations of the Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol. Tubbritt provided TIPS certification as proof of training in the safe sale and service of alcohol.

**Decision:** Granted with the condition that the garage doors be closed at 11:00 p.m.

**10. Application #198849** Kiin Thai Sushi, Inc. d/b/a Kiin Thai Sushi, 145 First Street, has applied to transfer the existing Common Victualler All Alcohol License held by Jaturong Corp, at the same address. The proposed hours of 10:00 a.m. to 11:30 p.m. Monday through Saturday and 11:30 a.m. to 10:00 p.m. Sundays with seating for 99. Narumon Jenkitcharoenchai as proposed Manager of Record of a premises described as: First Floor Premises Consisting of a dining room, kitchen, storage and bathroom, one entrance on First St. and two exits.

**Present:** Attorney Kenneth Augen; Teradate Suntornnut; and Narumon Jenkitcharoenchai.

**Documents Considered:** Application and documents attached thereto.

**Summary:** This location was previously occupied by Similan's, which held a Common Victualler All Alcohol License so there is a presumption of need. This concept is different from what used to be at this location. They intend to provide Thai food, noodles, and sushi. Teradate Suntornnut is very experienced in the industry and has been an owner for approximately 13 years with restaurants in Revere and Newton. Both locations have liquor licenses.

The operating hours sought are as listed on the ABCC application, 10:30 a.m. – 11:00 p.m. all days (the change will be made on the ViewPoint record). Suntornnut will be the proposed manager of record, as listed on the ABCC application – that change will also be made on the ViewPoint record. Suntornnut is also the person approved to sign the application, so the corporate vote has been resigned by Suntornnut.

Suntornnut has been manager of record on a liquor license before with no issues with the local board or the ABCC. Suntornnut is familiar with the rules and regulations of the Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol. Suntornnut will provide proof of training as to the safe sale and service of alcohol.

**Decision:** Granted.

**11. Application #179649** Sheger Ethiopian Market, LLC d/b/a Sheger Ethiopian Market, 2368 Massachusetts Avenue, has applied for a new Wine and Malt Package Store License with proposed hours of 8:00 a.m. to 11:00 p.m. Monday through Saturday and 10:00 a.m. to 11:00 p.m. Sunday. Eden Gande as proposed Manager of Record of a premises described as: Approximately 1,740 square feet with three rooms.

**Present:** Eden Ganden; and Missrak Gandi.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Their current market provides Ethiopian products among other items. Their intent is to provide Ethiopian imported beers and wine, as well as American ones, to service their current customers. The market is currently open from 10:00 a.m. – 9:00 p.m. Monday – Saturday and 10:00 a.m. – 7:00 p.m. Sunday. The hours for selling alcohol would be the same.

There is confusion as to the amount of space being sought to be licensed. The application indicates 1.74 sq. ft. which is minimal. An updated floor plan showing the space to be occupied by the alcohol was requested prior to the hearing but not received. In addition, there was confusion as to whether abutters notification were sent in accordance with state law. There was also no proof of citizenship as required by state law.

**Decision:** Under advisement to provide applicant the opportunity to provide the proof of notification to abutters and additional documents as required by the Board before the Board votes on the matter. Will be placed again on the agenda on 1/26/23 for Board considerations and vote.

**12. Application #204804** Umami, Inc. d/b/a Umami, 2372 Massachusetts Avenue, Common Victualler Wine and Malt #43948, has applied for a Change of Officers/Directors and Change of Stock Interests.

**Present:** Huipeng Lei.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Jin Long Tang was bought out, everything else remains the same (including the operation).

**Decision:** Granted.

**13. Application #204013** Ethos Business Partners, Inc. d/b/a Le's Sushi Bar and Restaurant, 425 Cambridge Street, Common Victualler Wine and Malt License #11289, has applied for a Change of License Category to upgrade to All Alcoholic Beverages.

**Present:** Tam Le, representative/employee.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Hung Le has been operating the business with a Malt and Wine license since 2016 with no disciplinary issues. They serve Asian cuisine with a focus on Vietnamese and Japanese food. Many business reasons were stated with regard as to why an all alcohol license was sought but the Board did not consider those in terms of considering whether there was a public need for an alcohol license. The Board considered the public need and common good reasons provided such as after COVID customers have expressed a need and want for a more expansive drink menu. The customers have requested more alcohol options that match the type of food being served. Specifically, the type of Vietnamese and Japanese cuisine served (fish and soup) do not pair well with wine and there is a want and need to expand the options served to be more diverse and create drinks to match the cuisine. The business's record shows they have good standing and knowledge and rules and regulations and experience manager and well trained employees.

**Decision:** Granted.

**14. Application #205169** McCabe's Porter, LLC d/b/a Shine Square Pub, 2046 Massachusetts Avenue, Common Victualler All Alcohol License #11498, has applied for a Change of Ownership Interests and LLC Managers.

**Present:** Attorney Elliott Loew.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Thomas Covert has bought out Christopher Whitney and Brian Manning, becoming the sole owner. David Wells will remain the manager of record. There are no operational changes to the business.

**Decision:** Granted.

**15. Application #202691** Sol Taquerias, Inc. d/b/a Achilitos Taqueria, 84 Winthrop Street, has applied for a New Common Victualler All Alcohol License with proposed hours of 8:00 a.m. to 4:00 a.m. all days with alcohol service ending at 2:00 a.m. all days, seating for 22 inside with a maximum indoor occupancy of 39. Margaret Pimentel as proposed Manager of Record of a premises described as: Located on 1st floor, with main entrance along paved street, employee entrance thru common area, open kitchen located at the back of 1,436 sq. ft. room with seating from wall.

**Present:** Attorney Jon Aieta; and Margaret Pimentel.

**Documents Considered:** Application and documents attached thereto.

**Summary:** There is a need to fill this vacant space which has not been occupied since 2019. This business will provide additional options in the Harvard Square area. It will provide breakfast lunch and dinner; a fast casual affordable dining option. It will be a full service Mexican restaurant, with high quality food and various gluten free options. Margaret Pimentel is the sole owner and will be the manager. Pimentel seeks to hire up to 12 employees, and hopes some will be local. The intent to continue serving from 2:00 a.m. – 4:00 a.m. is to address the persons with different work schedules while the kitchen preps for the next day serving. The concept is an open kitchen so they will tend to the persons that come in to sit and eat during those late hours. This is not a bar. Pimentel has several years of experience and owns three other taquerias in Massachusetts (none with alcohol).

Pimentel has never been manager of record on a liquor license before but has operated various one day licenses in Foxboro during very busy days with no issues. Pimentel is familiar with the rules and regulations of the Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol. Pimentel provided a TIPS certificate as proof of training in the safe sale and service of alcohol. Pimentel will have all employees trained too.

**Decision:** Granted.

**16. Application #204878** Las Palmas Restaurant, Inc. d/b/a Cultura, 65 JFK Street, has applied for a New Common Victualler All Alcohol License with proposed hours of 10:00 a.m. to 2:00 a.m. all days, indoor seating for 42 with maximum occupancy of 62, and outdoor seating of 20 with maximum outdoor occupancy of 40. Seila Green as proposed Manager of Record of a premises described as: On the first floor, kitchen and dining area of approximately 1,500 sq. ft. with two bathrooms, front handicapped accessible entrance, one rear entrance/exit, and a prep/storage area in the far left rear. Has outdoor patio in the front on the private way. Has also applied for an entertainment license to include: recorded music above conversation level, dancing by patrons and entertainers, live/acoustical music with no

amplification except one microphone, theatrical, exhibition play or moving show with amplification, DJ, comedy show, and 3 TVs.

**Decision:** Removed indefinitely from the agenda. If the matter is to be heard, it will need to be readvertised and abutters re-notified before it is rescheduled and heard by the Board.

**17. Application #205990** Peter Dynan, on behalf of John Moriarty & Associates, 1/13/23-1/16/23, (Alt dates 1/20/23-1/23/23) at 301 Vassar St, Saturday and Sunday 7:00AM to 11:00 PM. Erection of the tower crane, using an assist crane and trucking. Installation of the tower crane cannot be completed during the normal working time period. MIT is out of school on winter break during the proposed times, thus there will be less traffic and a safer work environment.

**Present:** Investigator Joseph Kelley; and Peter Dynan.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Although there are no students, the variance is needed due to the amount of space the crane occupies and the time it takes to set it up and do the work. The crane will be partly on the site and the other time on the street. The applicant stated that per request from MIT and City personnel they want the work only to be done Saturday and Sunday because the MBTA CT 2 runs on the weekday which includes Friday and that will complicate the logistics. Applicant wanted to amend the request to start at 3:00 a.m. The Board did not assent to any amendments unless a new notification was sent and the matter reheard. Hence, the application proceeded as filed and the requested amendment was denied.

**Decision:** Granted with the condition that a Sunday & Holiday Work Permit is required.

**18. Application #206426** Bryn Thornburgh, on behalf of Crown Castle, 1/16/23 to 1/20/23, (Alt dates 1/23/23 to 1/27/23) at Brattle St. 7:00PM to 5:00AM, Milling and Paving. This work will include the installation of approximately 54 feet of conduit from a lamppost outside of 3 Brattle Street, to the middle of the intersection of Brattle Street, JFK Street, and Massachusetts Avenue. Due to a large amount of foot and vehicle traffic in the area, this variance is being requested to minimize impact and to ensure less risk to pedestrians and vehicles.

**Present:** Investigator Joseph Kelley; and Bryn Thornburgh.

**Documents Considered:** Application and documents attached thereto.

**Summary:** This is coming off an excavation permit #198985 which is a small cell installation. They had planned to do the work in late December but had to push out. When they started doing the work during the daytime, Paul Almeida (City employee), requested it be stopped. Upon conferring with Almeida and Cambridge Police, it was determined that the intersection was too busy with vehicular and pedestrian traffic to have the work be performed during the day.

**Decision:** Granted with the condition that a Holiday Work Permit is required.



**Administrative Matters**

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

**19. Consideration of Meeting Minutes**      December 14, 2022.

**Decision:** Granted.

**20. Ratifications of Designee Votes**

A.      **Application #11382**      Grendel's Den, Inc. d/b/a Grendel's Den, 89 Winthrop Street, Common Victualler All Alcohol License was granted a New Year's Eve Extension from 1:00 a.m. to 2:00 a.m. for alcohol and 3:00 a.m. for entertainment; may also serve food until 3:00 a.m.

B.      **Application #11498**      McCabe's Porter, LLC d/b/a Shine Square Pub, 2046 Massachusetts Avenue, Common Victualler All Alcohol License was granted a New Year's Eve Extension from 1:00 a.m. to 2:00 a.m. for alcohol, food and entertainment.

C.      **Application #111650**      Overlind Industries, LLC d/b/a The Red House, 98 Winthrop Street, Common Victualler All Alcohol License, updated its licensed indoor capacity from 31 to 33.

D.      **Application #11428**      Catalyst Restaurant, LLC d/b/a Catalyst, 300 Technology Square, Common Victualler All Alcohol License, updated its capacity from 284 sitting, 16 standing, for total capacity of 300 to 300 sitting, 120 standing for a total 420 capacity, alternate configuration all furniture removed to allow maximum 420 standing.

E.      **Application #23300**      50 Binney Street, LLC d/b/a Lily P's, 50 Binney Street, Common Victualler All Alcohol License, provided plans and updated its indoor capacity from 176 seats, 65 standing for a maximum indoor occupancy of 241, to 155 seating, 72 standing, for a maximum occupancy of 227.

F.      **Application #205582**      Veer Dedhia on behalf of Boston Intergenerational Dance Advocates (BIDA) had been previously granted by the Board an entertainment license for various social dances. They submitted a fee reduction/waiver request that the Board had not voted upon. Based on the non-profit status of BIDA and that the events are free to the public (although donations are asked for) the fee reduction was granted and a one-time entertainment license fee was charged rather than the typical per day fee.

G.      **Application #119855**      Dancing in the Dark, LLC d/b/a The Cantab Lounge, 738 Massachusetts Avenue, General on Premises All Alcohol License, updated its maximum capacity,

based on the issued Certificate of Inspection, from 237 to 240. In addition, the configuration and capacity breakdown changed to be 140 sitting on first floor and 100 standing in basement. Licensee is required to provide updated floor plans by January 16, 2023.

H. **Application #10784** Lesley University d/b/a Lawrence Hall, 99-2 Brattle Street, Innholder Lodging House License, increased the number of rooms from 57 to 58.

I. **Application #11618** Ankang Corporation d/b/a Qing Dao Garden, 2382 Massachusetts Avenue, Common Victualler Malt and Wine License, increased its seating capacity from 42 to 45.

**Decision:** Ratified as to all.

21. **Application #206207** Christopher Lewis d/b/a Harvard Square Black Car, 5 Hilliard Place, has applied for a new Livery License.

**Summary:** Christopher Lewis is the sole owner and driver.

**Decision:** Granted.

22. **Application #206026** Blue Wave Trans Corporation, 225 Walden Street, has applied for a new Livery License.

**Summary:** This is Ibrahim Elhaj d/b/a Blue Wave Trans Corporation. Elhaj is the sole owner and driver.

**Decision:** Granted.

### **One Day License Applications**

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23. **Application #205551** Christine Mastal, on behalf of Cambridge Community Foundation for an entertainment license to be exercised at Starlight Square – 84 Bishop Allen Drive, on 1/16/23 from 12:00 p.m. – 5:30 p.m. for a community walk with recorded music and amplification system. Expected attendance – 250.

**Decision:** Granted.

**24. Application #205822** Greg Smucker for a wine license to be exercised at Edward Pickman Concert Hall – 27 Garden Street, on 1/20/23-1/22/23 6:00 p.m. – 10:00 p.m. & 1:00 p.m. – 5:00 p.m. on Sunday for an opera. Expected attendance – 170.

**Decision:** Granted.

**25. Application #205824** Sasha Fried-Snod, on behalf of MIT Open Space Programming for an entertainment license to be exercised at MIT Welcome Center – 292 Main Street, on 1/12/23 from 6:00 p.m. – 7:30 p.m. for a yoga class with patrons dancing, performers/entertainers dancing, recorded music, live music and amplification system. Expected attendance – 100.

**Decision:** Granted.

**26. Application #205825** Sasha Fried-Snod, on behalf of MIT Open Space Programming for an entertainment license to be exercised at Kendall/MIT Open Space – 292 Main Street, on 1/28/23 with rain date of 1/29/23 from 4:00 p.m. – 6:00 p.m. for a community gathering with patrons dancing, performers/entertainers dancing, recorded music, dj, live music and amplification system. Expected attendance – 200.

**Decision:** Granted.

**27. Application #206066** Veer Dedhia, on behalf of Boston Intergenerational Dance Advocates (BIDA) for an entertainment license to be exercised at Cambridge Masonic Hall – 1950 Massachusetts Avenue, on 3/10/23-3/12/23 from 7:30 p.m. – 11:00 p.m. 3/11 9:30 a.m. – 11:00 p.m. & 3/12 10:00 a.m. – 3:00 p.m. for a social dance with patrons dancing, live music and amplification system. Expected attendance – 200.

**Decision:** Granted.

**28. Application #206181** Fr. Aleksandar Vljakovic, on behalf of St Sava Serbian Orthodox Cathedral for a malt and wine and entertainment license to be exercised at 41 Alewife Brook Parkway, on 1/14/23 from 7:00 p.m. – 12 midnight for a dinner dance with patrons dancing, live music and amplification system. Expected attendance – 150.

**Decision:** Granted.

**[Matters Considered at Meeting-Not Previously Listed on Agenda]**

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29. **Reconsideration of Denial of Special Variance Application #200526** Letter requesting reconsideration of Board's vote as to Special Noise Variance Application #200526.

**Present:** Investigator Joseph Kelley.

**Documents Considered:** Application and documents attached thereto; request for reconsideration; and follow up correspondence.

**Summary:** Board heard this application on December 1, 2022, took it under advisement and on December 14, 2022, voted to deny the application as there was no undue hardship. The letter asking for reconsideration states the undue hardship is employee safety (the construction workers' safety). It should be clear the Board is aware that the safety of the employees is an issue but it was explained that the work could be done if the other construction employees were not in the area. So basically, while the stairs is being installed, that is the only work that can be done, and that can be done during regular hours.

Follow up correspondence was received yesterday stating the applicant only anticipates the work will take 4 weeks due to the weather and have requested to amend the amount of time for which they seek the variance. It was explained that at the time of the original application the contractor built in some additional time for "winter conditions" (e.g. heavy snow) that could impact the ability to access and install the steel beams. The underlying rationale for the request has not changed and is based on a desire to have the movement of heavy steel beams across the site by crane occur when few workers are present.

The applicant also stated that the only residential abutter, Cambridge Housing Authority ("CHA") did not object to the variance as filed or amended. The License Commission staff attempted to obtain confirmation from CHA prior to the meeting but were unable to do so. The construction site is huge and very active and loud during the daytime. The Board wants to confirm there are no issues raised by the abutting residents.

**Decision:** Chair is designated to issue a vote denying the request for reconsideration and ratifying denial of the variance if the Cambridge Housing Authority ("CHA") expresses an objection to it; if CHA expresses no issue as to the grant of the variance, the Chair is designated to revert the Board's vote to a grant with the amended duration timeline of 4 weeks.

30. **Application #205349** Zoe Acai Bar, LLC d/b/a Zoe Acai Bar & Juicery, for a Common Victualler Entertainment License at 1876 Massachusetts Avenue, 1,500 sq. ft. in one room public access, 2 restrooms, and 1 kitchen (with no flame grills or fryers); includes storage in the basement, 1 front public entrance, and 1 fire exit in rear, with 24 seats, 6 persons standing for a total capacity of 30. Albert Coletta as manager of record, 1 TV and background music, and proposed hours of 9:00 a.m. – 5:00 p.m. all days. This is a previously licensed location.

**Summary:** During renewals, the Board learned the business had been sold. This application is to ensure they are operating with all the proper permits.

**Decision:** Granted.

31. **Ratification of Grant for Special Noise Variance #205527** Doug Thomas on behalf of W.T. Rich Company, Inc. for the use of generators and heaters during non-allowable hours on “as needed basis” at 197 Vassal Lane, Tobin Montessori School, from 1/10/23-4/30/23 (alternate dates 1/12/23-4/30/23). The variance is needed to maintain curing temperatures for concrete foundation during the winter months.

**Present:** Investigator Joseph Kelley; Investigator Tyler Bubenik; and Brendan Roy, City of Cambridge.

**Documents Considered:** Application and documents attached thereto; and correspondence received with regard to the application.

**Summary:** The variance was granted pursuant to the designation vote and also a quorum vote of (2-0) on 1/5/23. The variance was granted for the use of generators and heaters on an as needed basis when temperatures drop down to freezing. The variance does not allow continuous generator operation; it only allows the use of generators to power heaters when the temperature approaches or drops below freezing so that concrete placements can properly cure. Failure to have the foundation cure at a certain temperature will result in structural and safety problems. A noise reading as to the generators has been previously done and the sound emissions are within those allowed by the Ordinance. This type of variance for this same type of issue was granted for the King School in 2019.

**Decision:** Grant ratified.

32. **Application #207403** Ryan Howe for a malt and wine and entertainment license to be exercised at Cambridge Community Center 5 Callender Street, on 1/13, 1/14, 1/20, 1/21, 1/27 & 1/28/23 from 7:00 p.m. – 11:59 p.m. for a comedy show. Expected attendance – 85.

**Decision:** Granted.

33. **Application #194139** Cinema Beverages Holding Company LLC d/b/a Kendall Square Food and Beverage Service, One Kendall Square #1900, Common Victualler Wine and Malt License #11577, for a Change of Manager to Evan Harris Miller.

**Summary:** We heard this on December 14, 2022 and deferred our vote pending the submission of an affidavit required per the state’s application. We have received the affidavit.

**Decision:** Granted.


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**Minutes Approved:** January 26, 2023

**Minutes Posted:** January 26, 2023

**By the Board of License Commissioners**

  
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Nicole Murati Ferrer, Chair

  
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Thomas Cahill, Jr., Fire Chief

  
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Christine Elow, Police Commissioner