



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, May 23, 2023, 11:00 a.m.

By Remote Participation Via Zoom

This meeting was held remotely in accordance with Chapter 2 of the Acts of 2023 adopted by Massachusetts General Court and approved by the Governor.

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

Staff Member Present: Christopher O'Neil.

Decisions: All decisions were 2-0, unless otherwise indicated, and by roll call.

Public Testimony Matters

1. Application #213851 Facility Concession Services, Inc. d/b/a Sinclair, 52 Church Street, Common Victualler All Alcohol License #11598, has applied for a Change of Corporate Structure and a Change of Ownerships Interests.

Present: Jessica Morey, Lisa Miller and William Knockenhauer.

Documents Considered: Application and documents attached thereto.

Summary: This is not affecting Bowery Cambridge and it is not aligning it to it either. The holder will stay the same (Facility Concession Services) but the corporate structure is changing from a corporation to an LLC. It is also going to be the same for the 30 locations across the US. There will be no operational changes and William Knockenhauer will remain as manager of record. The new licensee would be Facility Concession Services, LLC with OVG Business Services, LLC as being the 100% beneficial interest owner and David Smalley staying as an officer. There will need to be additional information regarding the structure provided and the financials to send to the ABCC and make it clear as on paper the changes are not as clear.

Decision: Granted.

2. Application #218614 Broad Canal 1 Corp. d/b/a Mestizo, 165 Main Street, has applied for a New Common Victualler All Alcoholic Beverages with Entertainment License with proposed hours of 11:00 a.m. to 1:00 a.m. all days with seating for 89 inside, an inside occupancy of 180, and 70 patio seats on private property. Lorenzo Tenreiro as proposed manager of record of a premises described as: Approximately 2,977 square feet on first floor with seating/dining area, bar, kitchen, storage and restrooms. Approximately 1,240 square foot outdoor patio/seating area with a portable bar on private property. Applicant is also applying for an Entertainment License to include recorded music above conversation level with amplification, live music with amplification, DJ, and 2 TV's.

Present: Attorney Peter Pasciucco; and Lorenzo Tenreiro and Emily Tenreiro.

Documents Considered: Application and documents attached thereto.

Summary: Husband and wife duo, who are experienced restaurateurs, approximately 25 years in the industry, and both ServeSafe trained. They own La Cuchara and Tapas both in Melrose. Tapas has a liquor license and they have had no issues. This location is within a building owned by MIT. They have entered into long term lease; MIT had been looking for a restaurant to go into this location to serve the needs of the MIT community and those in the area. They have the building permit and expect construction to take about 14-16 weeks. It would be on the first floor and the private patio overlooks broad canal. The concept is Modern Mexican menu - trying to incorporate a Mexican from the ground from the old recipes and that come from Spanish and coming into Mexico – a mix of versatile influences of Mexican cuisine. Incorporate some of the Oaxaca region type of cooking. Intending to make it a little more elegant and family friendly, not Tex Mex. They will also incorporate traditional sauces and ingredients.

There was discussion as to how after build out they would need to provide a stamped plan with the sitting and standing occupancies listed on it. Informed applicant to pay attention to plumbing code as that may limit capacity. The plan would also need to show where the DJ and entertainment devices are to be located.

Lorenzo Tenreiro has not been the manager of record and is familiar with the rules, regulations and laws of the Commonwealth of Massachusetts with regard to the safe service and sale of alcohol. Tenreiro and wife are both ServeSafe trained and Tenreiro provided TIPS certification as proof of training in the safe service and sale of alcohol.

Decision: Granted (capacity will be revisited once final floor plans are provided and CI issues).

3. Application #216131 Flat Top Johnny's, LLC d/b/a Flat Top Johnny's, 238 Main Street, has applied for a New Common Victualler All Alcoholic Beverages with Entertainment License with proposed hours of 11:00 a.m. to 1:00 a.m. Sunday through Wednesday and 11:00 a.m. to 2:00 a.m. Thursday through Saturday with seating for 160 inside and 40 patio seats on private property. John Adams as proposed manager of record of a premises described as: 5430 square feet on the first floor. One room with a kitchen, bar, pool tables, pinball games, and dining. The Kitchen will include cold and dry storage. Applicant is also applying for an Entertainment License to include 10 pool tables, 11-coin operated pinball machines, 3 TV's and background music.

Present: John Adams.

Documents Considered: Application and documents attached thereto.

Summary: Adams operated a Flat Top Johnny's in Kendall for 27 years and was well received and loved being part of the community. That location closed due to COVID-19, and they have since tried to find a new place in Cambridge. This is an MIT owned building and have signed a lease for the location; looking forward to bringing the concept back to Cambridge. Adams has extensive experience, has been an approved manager of record with no issues with the local board or the ABCC, and is up to

date with the rules, regulations and laws of the Commonwealth of Massachusetts with regard to the safe service and sale of alcohol. Will provide proof of training in the safe service and sale of alcohol.

There was discussion as to how after build out they would need to provide a stamped plan with the sitting and standing occupancies listed on it. Informed applicant to pay attention to plumbing code as that may limit capacity.

Decision: Granted (capacity will be revisited once final floor plans are provided and CI issues).

4. Disciplinary Millennium Companies, Leaf Blower Permit #219631, for alleged violations of Cambridge Municipal Code 8.16.081.1(b) & 8.16.081.2(c), operating a leaf blower without a permit, and 8.16.081.2(f), operating more than one leaf blower within 10,000 square foot area, on April 27, 2023, in the vicinity of Berkeley Street.

Present: Investigator Tyler Bubenik; and Eric Hewitt.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: There was no contention that on April 27, 2023, employees of Millennium Companies simultaneously operated two leaf blowers side-by-side and less than 10,000 square feet apart. At the time, Millennium Companies had not completed the process of obtaining a leaf blower permit and had been issued a warning for operating without a permit on April 24, 2023. There was discussion on how the complaint filed with the License Commission showed RedMax leaf blowers which do not tend to be compliant with the sound emissions of the Ordinance and which are not the blowers disclosed on their leaf blower permit application. Millennium explained the operation was as a result of the DPW's street cleaning pilot program. Millennium further explained it had not been informed by the City contact as to the Ordinance and its limitations.

Decision: Violation, warning for operating without a permit, \$300 fine for operating simultaneously within 10,000 square feet.

5. Disciplinary Paddy's Lunch, Inc. d/b/a Paddy's Lunch, Common Victualler All Alcoholic Beverages License #11694, 260 Walden Street, for allegedly allowing illegalities in or around the licensed premises by operating over the licensed capacity and allowing patrons to remove open containers of alcohol from the licensed premises and consume alcohol in an unlicensed outdoor area on March 17, 2023, in violation of G. L. c. 138 §§ 12, 23 and 64, G. L. c. 140, and Board's Rules 2, 9.1, 9.2, 12B.8, 13, and 14.

Present: Investigator Tyler Bubenik; and Ruth Allen and Irving Allen.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: Paddy's has a 60 person maximum capacity and have no approved outdoor area. During routine inspections on March 17, 2023, Investigator Bubenik counted 75 people inside of the establishment, and the licensed capacity is 60. There was no person at the entrance monitoring capacity

or the entry of persons. The bartender was the person tasked with monitoring the door and capacity. It took approximately 20 – 30 minutes to bring the capacity to the licensed maximum.

While waiting for the number of occupants to lower, Investigator Bubenik also noted that some people were exiting the establishment through a rear egress. Investigator Bubenik went to that area and found that the rear exit led to a small outdoor area where a few people were standing. None of the persons standing were in possession of an alcoholic beverage, but Investigator Bubenik noted a small folding table near the door with partially or fully consumed beer bottles resting upon it. This was also brought to the attention of employees and the containers were removed from the outdoor area.

Ruth Allen testified that she was cooking in the back and it was a very busy day as it was the first St. Patrick's Day since COVID-19. The two bartenders on duty were keeping track. The staff estimated incorrectly as to the number of people on the premises. Allen questioned many times the reasoning behind an inspection on St. Patrick's Day as it is their busiest night; called it unfair to get inspected. Board stressed that the laws apply regardless of the day. Allen testified they are scrapping to stay alive, and they do not have people on the door but have people watching. Allen later stated her husband had been at the door previously in the night but at the time of the inspection was in the office dealing with some other things. Does not take laws lightly.

In terms of the beers and drinks outside, they have signage stating alcohol cannot be brought or consumed outside. They said that the drinks were there because people were trying to help out by leaving and left their beers not knowing against the law. The purpose of the table is to allow patrons to sit outside while smoking.

Decision: Under advisement.

6. Disciplinary McCabe's Porter, LLC d/b/a Shine Square Pub, Common Victualler All Alcoholic Beverages License #11498, 2046 Massachusetts Avenue, for allegedly allowing illegalities in or around the licensed premises by operating over the licensed capacity on March 17, 2023, at approximately 10:00 p.m., in violation of the conditions of its license and the law, including but not limited to, G. L. c. 138, §§ 12, 23 and 64, G. L. c. 140, and Board's Rules 2.3, 2.5, 5.1, and 9.

Present: Investigator Tyler Bubenik; David Wells and Tom Covert.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: Shine Square Pub has an 84 maximum capacity and no outdoor sitting. During routine inspections on March 17, 2023, Investigator Bubenik conducted a patron count of the establishment and found 89 people inside. Investigator Bubenik testified he conducted the count at least 3 times to confirm the number. The matter was brought to the attention of employees and it was corrected within 5 – 10 minutes. Bubenik testified there was a door person checking numbers and when Bubenik inquired the count, the doorperson told them they were at capacity (84). David Wells testified that he too was at the premises on the date in question and like the door person they had the capacity at 84 and that throughout the night he and the doorperson had been in communication as to the count.

Decision: Under advisement.

7. Disciplinary Turner Construction for alleged violations of CMC 8.16.080(F)(1), working outside allowable hours, on May 16, 2023, at 12:30 a.m. – 5:30 a.m. at 290 Binney Street. This hearing may result in fines pursuant to the Ordinance and/or the revocation/modification of the grant of Special Noise Variance #219128.

Present: Investigator Joseph Kelley; Sonika Sharma, complainant.

Documents Considered: Hearing notice and documents attached thereto; file; and waiver of hearing.

Summary: The Board discussed the waiver and information provided with it. The event was not related to the work on the issued variance. The complainant stressed their concern as to the ongoing construction, the noise and their objection to any work outside allowable hours (even with a variance).

Decision: Violation, \$300 fine.

8. Disciplinary PIDC Construction for alleged violations of CMC 8.16.080(F)(1), working outside allowable hours, and CMC 8.16.090, violating the conditions of Special Noise Variance #218585 at approximately 6:20 a.m. on May 18, 2023, at 150 Cambridgepark Drive. The hearing may result in fines pursuant to the Ordinance and/or revocation/modification of SNV #218585.

Present: Investigator Tyler Bubenik; and Tyler Crocco.

Documents Considered: Hearing notice and documents attached thereto; and file.

Summary: There was no contention of work outside allowable hours. The subcontractor started work early. Plumbing subcontractor arrived on site and just started working. The Board raised the issue of an ongoing pattern with subcontractors arriving on site and starting work outside allowable hours. The work performed outside allowable hours and the loading/unloading had nothing to do with the work for which the variance was issued.

Decision: Violation, 2 counts (loading/unloading and construction during non-allowable hours), \$300 fine per violation for a total \$600 fine.

Administrative Matters

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

9. Acknowledgement Craigie Bistrot, LLC d/b/a Craigie on Main, 853 Main Street, Common Victualler All Alcohol License #11387, did not appear to May 11, 2023 cancellation hearing for non-use pursuant to, but not limited to, M. G. L. c. 138, §§ 23 and 77. Tony Maws, owner of Craigie Bistrot, LLC, confirmed they are still working with the landlord to transfer the license to a new tenant.

Documents Considered: File and correspondence related to the matter.

Summary: Matter was noticed and called on May 11, 2023; the representative was not in the room when the matter was first called so the Board decided to give it a second call but inadvertently failed to do so. Regardless, a review of the record showed that no representative of Craigie Bistrot, LLC appeared at the meeting. Staff contacted owner Tony Maws after the hearing who seemed to indicate that they did not appear purposefully as they were unable to reach a deal due to the new landlord quashing it. In a separate communication staff contacted Maws to inquire as to the second half payment of the license fee. Maws replied that after the last deal fell through, they assumed the license would be terminated and said that they would not make payment of the license fee. A written communication regarding confirmation of the surrender of the license was not received but a verbal confirmation was received, and the license fee was not paid.

Decision: License deemed surrendered, and hence, it is cancelled. In the alternative the license is deemed not properly renewed and is considered expired, and/or it is cancelled and/or revoked for failure to transfer or put to use, and/or for failure to renew/pay the renewal fee according to set procedures.

10. Consideration of Statement of Reasons

[Matter Heard Matter March 21, 2023]

Facility Concessions Services, Inc. d/b/a The Sinclair, Common Victualler All Alcohol License #11598, 52 Church Street, violation for failing to provide aid to an intoxicated or injured person on September 30, 2022, in violation of G. L. c. 138, §§ 23 and 64 and Board's Rules 2 and 8.2.

[Matters Heard May 11, 2023]

Wheelings Brattle, LLC d/b/a Beat Brew Hall, 13 Brattle Street, Common Victualler All Alcohol License #11480, license is not in use. If the license renewal is submitted in November 2023, the Board may hold a consideration of renewal application hearing and/or in the alternative, a cancellation hearing for non-use, G. L. c. 138, § 77.

PIDC Construction, violation (2 counts), of CMC 8.16.080(f)(1), working outside allowable hours, on April 15, 2023 and April 29, 2023, at 150 Cambridgepark Drive. Issued \$300 fine per violation for total \$600 fine.

Republic Services, Solid Waste Hauler License #14078, violations (3 counts), CMC 8.16.080(e), loading and unloading outside allowable hours, on April 3 and 11, 2023, at 80 Trowbridge Street, and on April 28, 2023, at 170 Gore Street. Issued \$300 fine per violation for a total \$900 fine, in addition to a

\$100 hearing fee for failure to appear. Moreover, there will be notification of the violations to property owners with notice that states they too may be cited to appear for any future violations and may be fined pursuant to the Ordinance as a result of any future violations.

Decision: Approved as to all.

11. Consideration of Meeting Minutes May 11, 2023.

Decision: Approved.

12. Board Discussion Starlight Square application, notice to abutters, conditions, and licensing fees.

Documents Considered: Statement from Michael Monestime on behalf of Starlight. Correspondence from abutters as to Starlight operation.

Summary: The Board discussed various factors, including the purpose of Starlight, complaints received (versus actionable ones), and the intent of the City in the change of zoning for Starlight. The Board discussed being ill prepared in understanding how to manage Starlight, including application process and fees, considering Starlight may transition from a “seasonal” operation to an “annual” one (if Starlight is transitioning to an annual type of venue, it will need an annual license). The Board discussed not having the license/indemnification agreement between Starlight and the City and how the contents of it may impact the conditions we place on any license issued.

The Board decided that for now, it would proceed as if Starlight is a “seasonal” venue and the proper application would be a one day. The Board discussed the need to have detailed calendar of events and limiting the scope to 30 days at a time. The Board also would be requesting at least 2 weeks prior to the 30 day submission and notification to surrounding neighboring residential buildings, including but not limited to, 70 Bishop Allen Drive, 51 Norfolk Street, and 77 Bishop Allen Drive.

Decision: Applicant will be informed that requests should be made 30 days at a time and at least 2 weeks prior to the 30-day period. Prior to the application being before the Board, Starlight must leaflet/notice the surrounding neighboring residential buildings, including but not limited to, 70 Bishop Allen Drive, 51 Norfolk Street, and 77 Bishop Allen Drive to inform them of the planned events and hours. The communication must include the name, email and phone number of the manager on site for each of the events with whom residents can communicate directly if an issue arises and notation that complaints can also be filed at license@cambridgema.gov. The application must contain detailed calendar of events and times. Any details as to an application will be decided on a case-by-case basis. The license fee will be a one-day license fee (unless it needs to be licensed annually).

One Day License Applications

Unless otherwise indicated, all the below listed matters were considered and voted upon by the Board without public testimony. They were decided upon by the Board members' individual review of

the papers/applications/matter before them. The summary of what is considered is the identifying information of the matter as listed herein.

13. Application #215560 Stephanie Crayton, Paragon Society, for an entertainment license at Riverside Press Park, 2 Blackstone Street, on 6/19/23 from 9:00 a.m. – 5:00 p.m. for a parade and celebration with patrons dancing, performers/entertainers dancing, recorded music, live music, and amplification system. Expected attendance – 200.

Decision: Granted.

14. Application #222026 Craig Hill, Blueprint Medicines, for a malt and wine and entertainment license at 45 Sidney Street, on 6/6/23, rain date of 6/20/23, from 3:00 p.m. – 6:00 p.m. for a networking event with recorded music and amplification system. Expected attendance – 150.

Decision: Granted.

15. Application #216409 Richard DiBona, Vitamin Sea Brewing LLC, for a malt and wine and entertainment license at 300 Athenaeum Street, on 7/7, 7/11-7/14, 7/18-7/21, 7/25-7/28, 8/1-8/4, 8/8-8/11, 8/15-8/18, 8/22-8/25 & 8/29 from 2:00 p.m. – 9:00 p.m. for beer garden with recorded music, DJ, live music, and amplification system. Expected attendance – 110.

Decision: Granted with the condition that the area where the alcohol is served, sold, delivered and consumed must be enclosed to sufficiently guard against unknown access from the public way.

16. Application #217336 Lakiyra Williams, Outlaud Entertainment, LLC, for a malt and wine and entertainment license at Foundry Consortium, 101 Rogers Street, on 6/12/23, rain date of 6/17/23, from 7:00 p.m. – 12:00 a.m. for an end of program celebration with patrons dancing, performers/entertainers dancing, DJ, live music, and amplification system. Expected attendance – 100.

Decision: Denied for entertainment as the location already holds a license for the entertainment sought. Granted as to the alcohol pending submission of the permission letter and subject to any conditions or modifications therein.

17. Application #217918 Lynne Hall for a malt and wine and entertainment license at Foundry Consortium, 101 Rogers Street, on 9/23/23, from 1:30 p.m. – 7:30 p.m. for a dance party with patrons dancing and live music. Expected attendance – 60.

Decision: Denied for entertainment as the location already holds a license for the entertainment sought. Granted as to the alcohol license.

18. Application #217896 Jacob Davis, The Susan G. Komen Breast Cancer Foundation, for an entertainment license at North Point Park, 2 Education Circle, on 10/28/23, from 7:00 a.m. – 12:00 p.m. for a charity walk with recorded music, DJ, and amplification system. Expected attendance – 800.

Decision: Granted.

19. Application #218973 Jason Alves, East Cambridge Business Association, for an all alcohol and entertainment license at 300 Water and 100 Morgan Streets, on 7/27/23 and 8/24/23, with respective rain dates of 8/2/23 and 8/30/23, from 5:00 p.m. – 10:00 p.m., for movie night with amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 400.

Decision: Granted.

20. Application #218970 Jason Alves, East Cambridge Business Association, for an all alcohol and entertainment license at CX Common, 320 Morgan Avenue, on 6/22/23, 7/20/23 and 8/17/23, with respective rain dates of 6/28/23, 7/26/23, and 8/23/23, from 4:00 p.m. – 9:00 p.m. for a concert series with patrons dancing, recorded music, live music, and amplification system. Expected attendance – 1,000.

Decision: Granted with amended hours of 5:30 p.m. – 8:30 p.m. per permission letter.

21. Application #218898 Anna Grace Ogden, Sana Biotechnology, for a malt and wine at Courtyard, 300 Technology Square, on 6/21/23, from 3:00 p.m. – 6:00 p.m. for a party (Pride Celebration). Expected attendance – 30.

Decision: Granted with the condition that the alcohol must be sold.

22. Application #219902 Steven Miller for an all alcohol and entertainment license at Gallery 263, 263 Pearl Street, on 6/10/23 from 11:00 a.m. – 5:00 p.m. for a fundraiser with recorded music. Expected attendance – 50.

Decision: Granted.

23. Application #220635 Caroline Drozkiak, New School of Music, for an entertainment license at Lowell School Park, 25 Lowell Street, on 6/4/23 from 11:00 a.m. – 4:00 p.m. for a music festival with live music and amplification system. Expected attendance – 40.

Decision: Granted.

24. Application #220990 Tim Khanoyan for an entertainment license at Common at CX, Dawes Field, 320 Morgan Avenue, from June 10, 2023 – September 30, 2023, on Wednesdays from 5:00 p.m. – 7:30 p.m. and on Saturdays from 9:00 a.m. – 12:00 p.m. for fitness with patrons dancing, performers/entertainers dancing, recorded music, DJ, and amplification system. Expected attendance – 100.

Decision: Granted.

25. Application #221306 Sean Rahim, The Benjamin Banneker Charter Public School, for an entertainment license at 21 Notre Dame Avenue, on 6/9/23 from 2:00 p.m. – 7:00 p.m. for a Graduation with recorded music and amplification system. Expected attendance – 250.

Decision: Granted.

26. Various Applications Michelle Torra, Harvard Alumni Association, for various entertainment licenses with patrons dancing, recorded music, DJ, and/or amplification system at:

(#221522) Leverett House, 28 Dewolfe Street, on 6/2/23 from 7:00 p.m. – 11:00 p.m. for a 15th reunion dinner. Expected attendance – 450.

(#221524) Radcliffe Quad Tent, 52 Linnaean Street, on 6/2/23 from 7:00 p.m. – 11:00 p.m. for a 20th reunion dinner. Expected attendance – 400.

(#221525) Science Center Plaza Tent, 1 Oxford Street, on 6/2/23 from 7:00 p.m. – 11:00 p.m. for a 25th reunion dinner. Expected attendance – 700.

(#221528) Lowell House, 10 Holyoke Place, on 6/2/23 from 7:00 p.m. – 11:00 p.m. for a 30th reunion dinner. Expected attendance – 450.

(#221530) Lamont & Loeb House Tents, 11 Quincy Street, on 6/2/23 from 7:00 p.m. – 11:00 p.m. for a 35th reunion dinner. Expected attendance – 450.

(#221531) Harvard Yard, 1 Harvard Yard, on 6/2/23 from 11:00 a.m. – 3:00 p.m. for an alumni day lunch. Expected attendance – 6,000.

(#221534) Harvard Yard/Tercentenary Theater, 1 Harvard Yard, on 6/2/23 from 7:00 p.m. – 11:30 p.m. for a party/reception. Expected attendance – 1,350.

(#221791) Dunster House, 945 Memorial Drive, on 6/3/23 from 7:00 p.m. – 11:00 p.m. for a 15th reunion dinner. Expected attendance – 500.

(#221794) Leverett House, 28 Dewolfe Street, on 6/3/23 from 7:00 p.m. – 11:00 p.m. for a 20th reunion dinner. Expected attendance – 450.

(#221795) Harvard Yard, 1 Harvard Yard, on 6/3/23 from 7:00 p.m. – 11:00 p.m. for a 25th reunion dinner. Expected attendance – 550.

(#221796) Lowell House, 10 Holyoke Place, on 6/3/23 from 7:00 p.m. – 11:00 p.m. for a 35th reunion dinner. Expected attendance – 475.

(#221797) Radcliffe Quad Tent, 52 Linnaean Street, on 6/3/23 from 7:00 p.m. – 11:30 p.m. for a 5th reunion dinner. Expected attendance – 750.

(#221798) Science Center Plaza Tent, 1 Oxford Street, on 6/3/23 from 7:00 p.m. – 11:30 p.m. for a 10th reunion dinner. Expected attendance – 600.

Decision: Granted as to all.

27. Application #222758 Riley McLaughlin, Lamplighter Brewing Co., for a malt license on the sidewalk in front of 284 Broadway, on 6/3/23 from 2:00 p.m. – 9:00 p.m. for a beer garden. Expected attendance – 50.

Decision: Granted with the conditions that the area must: be enclosed to sufficiently guard against unknown access from the public way and to differentiate it from the indoor licensed premises; and it is operated separate from the indoor premises.

28. Application #222579 Herman Sanchez, City of Cambridge Veterans' Services Department, for a one day hawker/peddler license at Cambridge Common, 1500 Massachusetts Avenue, on 5/29/23 from 12:00 p.m. – 4:00 p.m. to sell art.

Decision: Granted, no fee as it is a City event.

29. Application #222507 Andrea Campbell, Cambridge Symphony Orchestra, for an entertainment license at Kresge Auditorium, 48 Massachusetts Avenue, on 6/17/23 from 8:00 p.m. – 10:00 p.m. for a concert with performers/entertainers dancing and live music. Expected attendance – 500.

Decision: Granted.

30. Application #223312 Brenda Huggins for an entertainment license at Tim Toomey Park, 71 Rogers Street, on 6/3/23 from 9:00 a.m.- 1:00 p.m. for a performance with live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 190.

Decision: Granted.

31. Application #223248 Zufan Dirisa for a malt and wine and entertainment license at St. John the Evangelist Church, 2254 Massachusetts Avenue, on 6/3/23 from 6:30 p.m. – 11:30 p.m. for a graduation party with recorded music and amplification system. Expected attendance – 175.

Decision: Granted.

32. Application #222707 Christina Solazzo, Harvard University Alumni, for a wine license at Harvard Yard, 1 Harvard Yard, on 6/2/23 from 12:00 p.m. – 3:30 p.m. for a reunion. Expected attendance – 500.

Decision: Granted with amended end time of 3:00 p.m. and police detail required.

33. Application #222422 Pardis Saffari, City of Cambridge Community Development Department and Cambridge Arts, for an entertainment license on the sidewalk at 1771 Massachusetts Avenue on 6/22/23, rain date of 6/30/23, from 4:00 p.m. – 6:00 p.m. for a Cambridge Plays, harpist and percussionist duo acoustic live music. Expected attendance – 5.

Decision: Granted, no license fee as it is a City event.

34. Application #223810 William Manley, Harvard Square Business Association, for an entertainment license at Church Street, on June 4, 11, 18, 25, July 9, 16, 23, 30, August 6, 13, 20, 27, September 3, 10, 17, 24, October 1, 12, 22, 29, from 11:00 a.m. – 5:00 p.m. (set up to start at 8:00 a.m. and breakdown to end at 7:00 p.m. for an open market with patrons dancing, performers/entertainers dancing, recorded music, dj, live music and amplification system. Expected attendance – 300.

Summary: The applicant has requested a fee reduction based on this being the Harvard Square Open Market which runs on Sundays from June until October. Last year, the Board voted to reduced it to a one-time daily fee since it was an event that was open to the public, no charge, and that the vendors were also not being charged for being at the location. We equated it to the same type of public market as those hosted at Starlight. This year they plan to host the event in the same way. However, there is still doubt whether the vendors are charged for the use of the space. Need to get confirmation.

Decision: Granted pending submission of City Permit and subject to any conditions and modifications therein. Fee will be set administratively to a one-time daily fee provided HSBA can confirm the vendors will have no cost associated with operating on the area.

35. Application #223485 Kim Simone, Smartlabs, for a malt and wine license at 21 Erie Street, on 6/8/23 from 4:00 p.m. – 6:00 p.m. for a networking/business social. Expected attendance – 100.

Decision: Granted with amended end time of 5:30 p.m. per permission letter. As it is a tasting event, the tasting amounts must be conducted in compliance with the provisions of G. L. c. 138, § 12, specifically, wine tasting shall be limited to one ounce per serving and malt beverage tasting shall be limited to two ounces per serving and food shall be served in conjunction with the beverage tasting.

36. Application #223508 J. Alain Ferry, Race Cancer Foundation, for a malt and entertainment license at Marsh Post #4423, Greenough Blvd., on 5/25, 6/22, 7/20, 8/10, 8/31 & 9/14 from 5:00 p.m. – 11:00 p.m. for a road race with DJ, live music, and amplification system. Expected attendance – 250.

Summary: We contacted the applicant as it was unclear whether the events would be happening indoors or outdoors. Per the applicant, the May 25th and June 22nd events were intended to happen indoors. However, this is a Veteran's Club and the events are open to the public (they are not club member events). The applicant has agreed to conduct all events outside.

Decision: Granted with the conditions that: all events must happen outside the Marsh Post's brick and mortar-they cannot happen inside the annually licensed premises; and the alcohol must be sold and/or in the alternative there must be a limited number of alcoholic drinks (4) associated with the admissions price, otherwise/thereafter the alcohol must be sold.

37. Application #221463 Angel Hoagland, Hult International Business School, for a wine license at 1 Education Street, on 8/14/23 from 9:00 a.m. – 8:00 p.m. for a graduation celebration. Expected attendance – 600.

Decision: Granted.

38. Application #216959 Rachel Blomerth for a one day temporary amusement license at Tim Toomey Park, 71 Rogers Street, on 6/15/23 from 3:00 p.m. – 6:00 p.m. for an employee outing with games. Expected attendance – 2000.

Decision: Granted.

39. Application #223741 Erik Sarno, Starlight Square, for an all alcohol and entertainment license at 84 Bishop Allen Drive from June 6-July 30, 2023 for different events June 6 & 7, 10:00 a.m. – 2:00 p.m.; June 8, 8:00 a.m. – 12:00 p.m. & 5:00 p.m. – 9:00 p.m.; June 9, 10, 14, 15, 17, 21, 24, 28, 29 & 30, 5:00 p.m. – 9:00 p.m.; June 16, 4:00 p.m. – 9:00 p.m.; June 18 & 25, 11:00 a.m. – 3:00 p.m.; June 22, 2:00 p.m. – 9:00 p.m.; July 5, 6, 7, 8, 15, 19, 20, 21, 22, 26, 27, 28 & 29, 5:00 p.m. – 9:00 p.m.; July 16, 23 & 30, 11:00 a.m. – 3:00 p.m. for different events with patrons dancing, performers/entertainers dancing, recorded music, DJ, live music, amplification system, theatrical exhibition/play/moving picture show, floor show and dynamic audio/visual show live/recorded. Expected attendance 300.

Summary: In light of the discussion above, this application includes 33 days. Since the agreement with the City is not yet in, and there is missing information as to whether the location needs to be licensed annually or whether any additional conditions need to be attached to the issued licenses, the Board only considered the first three events, 6/6-6/8. These events do not appear to have live or recorded amplified sound, and since the license/lease agreement with the City should come shortly, it is reasonable to believe they will have it in time. Also, this will provide Starlight time to provide notice to abutters as to the upcoming events.

Decision: Granted only as to 6/6-6/8/23 events, pending submission of the City agreement and subject to any conditions therein. Denied as to the rest to allow applicant to provide notice to abutters as required and submission of agreement with the City.

[Matters Considered at the Meeting – Not Previously Posted on the Agenda]

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

40. Application #223312 Brenda Huggins, on behalf of East End House for an entertainment license to be exercised at Tim Toomey Park 71 Rogers Street, on 6/3/23 from 9:00 a.m. – 1:00 p.m. for a performance with live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 190.

Decision: Granted.

41. Application #223996 Erik Sarno, on behalf of Central Square Business Improvement District for an entertainment license to be exercised at Jill Brow Rhone Park 877 Main Street, on 6/4/23 from 8:00 p.m. – 11:00 p.m. for a Celtics watch party with recorded music and amplification system. Expected attendance – 100.

Decision: Granted with amended end time of 10:00 p.m. per Park Permit.

42. Application #224560 Sasha Fried-Snoad, on behalf of MIT Open space programming for an entertainment license to be exercised at Kendall/MIT Open Space 292 Main Street, on 6/7, 6/14, 6/21, 6/28, 7/5, 7/12, 7/19, 7/26, 8/6, 8/13, 8/20 & 8/27 (Wednesdays) from 11:00 a.m. – 2:00 p.m. for food trucks program with patrons dancing, performers/entertainers dancing, recorded music, dj, live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 400.

Summary: Working with building to get final inspections.

Decision: Granted.

43. Board impromptu discussion FPBG, LLC d/b/a Fresh Pond Beer Garden, 168 Alewife Brook Parkway, General on Premises All Alcohol License #167480, what is the status.

Summary: The license was renewed for 2023 but not issued as they were not opening right away and had no need for insurance while closed. They have not been able to reopen as the Department of Inspectional Services Department has required them to reapply for a building permit since the structure came down and is going to be back up. At this point, seems to be a formality but they need the permit before putting it back up, and then they will need to provide proof of insurance before the license can issue.

Decision: No vote.

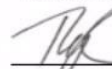
Minutes Approved: June 8, 2023

Minutes Posted: June 8, 2023

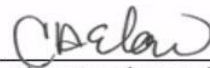
By the Board of License Commissioners



Nicole Murati Ferrer, Chair



Thomas Cahill, Jr., Fire Chief



Christine Elow, Police Commissioner