

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 AGENDA

Thursday, December 14, 2023, 10:30 a.m. By Remote Participation via Zoom

This meeting is being 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: Dana Clarke.

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

Public Testimony Matters

1. Consideration of Renewal Shanti Boston, LLC d/b/a Shanti, 7 Broad Canal Way, Malt and Wine Common Victualler License #11557, to consider whether to reject the renewal application, or in the alternative to cancel the license, based on the information that the business is closed, is a no value, non-transferrable license, business does not have authority to occupy the premises, and there is another business seeking to operate at the premises, G. L. c. 138 §§ 16A, 23, 64 and 77, and G. L. c. 140.

Present: No one appeared on behalf of Shanti Boston, LLC.

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

Summary: [Matter was given a second call at 10:54 a.m.] This is a no value, non-transferrable license. During renewals Solmon Chowdhury represented they had been closed but wanted to move the license to a different location in Cambridge. They represented the holder would still be Shanti Boston, LLC and Chowdhury as the sole member (as is now the case). In the meantime, we have received an application for a new business at the location. The new applicant has applied for a common victualler license only right now but wanted to apply for alcohol (due to deadlines and the existing license and to start operating since their lease is already active), they decided to move forward with the CV only. There is no quota for § 12 licenses at this time. There is no prejudice to Shanti Boston to not approve this renewal and/or in the alternative to cancel the license.

Decision: Renewal rejected, fee paid will be reimbursed, and/or license cancelled for non-use.

2. Consideration of Renewal 286 Franklin Street, Inc. d/b/a Andala Coffee House, 286 Franklin Street, Common Victualler License #12351, to consider whether to reject the renewal application and/or suspend or cancel the license for operating without a Certificate of Inspection and failure to obtain one, G. L. c. 140, and the Board's Rules.

Present: Sami Herbawi; and Branden Vigneault, ISD.

Documents Considered: Hearing notice; file; and Inspectional Services Department report.

Summary: [Second call given at 10:57 a.m.] Certificate of Inspection #156343 has been pending since 5/7/23 – fee has not even been paid even though became active in 7/23. CI has not issued because there was work done to the hood, installation of new, bigger fan, and that has not been inspected by electrical inspector and mechanical permit has not been applied for or approved. The matter has been pending since 2022. The inspection for the CI also showed there were other issues with the site such as blocking egresses. The installation of a bigger fan also necessitates a Fire suppression permit from the Fire Department – the Fire Prevention Unit. This is a life safety issue.

Decision: Indefinitely suspend the license and not approve the renewal until such time as all pending matters are resolved, all permits filed and approved, the premises reinspected, and the CI issued.

2. Consideration of Renewal Checkraise, LLC d/b/a Lord Hobo, 92 Hampshire Street, Common Victualler All Alcohol License #11365, to consider whether to reject the renewal application for failure to provide payment (or substitute payment) of the renewal fee within the statutorily and/or Board's required timeline, G. L. c. 138, §§ 16A, 23, 64 and G. L. c. 140.

Decision: No vote, matter taken off agenda (substitute payment received).

3. Application #250689 Max Gouveia, Milano Construction, for a Special Noise Variance on 12/17/23 - 12/22/23 (Alt. 12/18/23 - 12/22/23) at 30 JFK Street, from 8:00 p.m. to 5:00 a.m. the following morning, beginning for the week on Monday night and ending on Friday morning, to install a fire protection line using an excavator, jackhammer, dump truck, and air compressor. The variance is sought in the interest of minimizing impacts to water service, as well as vehicular traffic.

Present: Max Gouveia, Project Manager, Milano Construction Corp.; Billy Cooke, Site Supervisor, Milano Construction Corp.; Chris McGue, Subcontractor, McGue Excavation; Tim Mansfield – Architect, CambridgeSeven; David Blumsack – Owner/Representative; and Investigator Tyler Bubenik.

Documents Considered: Application and any documents attached thereto.

Summary: McGue excavating to install a new fire protection line about 5 foot deep trench and into the building to install a new sprinkler line. Matter was discussed with DPW and it was agreed the work should be done at night to minimize traffic disruption and ,making sure no one walked over the trench. The work will take a maximum of 5 nights, but they will probably will be done in 4 (it is all weather dependent). The shoring is done during the day.

Decision: Granted.

4. Application #251293 Elise Martignetti, Eversource, for a Special Noise Variance on 12/14/23 – 12/29/23, at 176 Alewife Brook Parkway from 9:00 p.m. until 5:00 a.m. the following morning, beginning for the week on Monday nights and ending on Friday mornings, to install a gas main using

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excavation equipment, jackhammers, saws, backhoes, and dump trucks. The variance is sought as the Massachusetts DCR is directing the work to take place during overnight hours.

Present: Investigator Tyler Bubenik. [No one appeared on behalf of the applicant]

Documents Considered: Application and any documents attached thereto; history of site; and previous testimony received.

Summary: Investigator Bubenik informed the Board that upon follow up with applicant, AJ Ortiz, project manager, informed they were unaware of the application. There was no further information received and no one appeared on behalf of the applicant.

The Board discussed this would constitute the fifth extension of a project to install a gas main on Alewife Brook Parkway. Sean Grant of Mass DCR has indicated that while it is technically possible to perform the work during daytime hours, the State prefers that it occurs overnight. There have been significant noise complaints received as to this site. We have granted the variances in the past with conditions of no use on legal holidays or eve of legal holidays. We have a significant number of residents in the area, families included. The timeline sought encompasses various religious holidays it also has school vacation week. The residents need and are entitled to some peace and quiet and even though there is work being done during the day.

Decision: Denied.

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.

5. Application #243312 Depth N Green, LLC d/b/a Depth N Green Café, 7 Broad Canal Way, Cambridge, for a new Common Victualler with Entertainment (music above conversation level and live acoustical music) License for a premises described as: A/k/a 250 Kendall Street - Approximately 2,000 sq. ft., 2 bathrooms with one dining hall and big kitchen, no basement. Includes outdoor patio on the private way against the building. 32 seats inside with standing capacity of 8 for a maximum occupancy of 40, and 22 seats and maximum occupancy outside. Pushp Bhetia as sole owner and manager of record. Hours of operation for: food and non-live entertainment - Monday-Saturday 8:00 a.m. – 9:00 p.m.; live entertainment – Thursday – Saturday 7:00 p.m. – 9:00 p.m.; and outdoor area – 11:00 a.m. – 9:00 p.m. This is a previously licensed location (had alcohol and they intend to apply for alcohol in the future).

Decision: Granted.

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6. Application #250982 Hult International Business School, Inc. d/b/a 1965, 10 Education Circle, Common Victualler License #52145, for approval of management agreement with Aramark Services, Inc., and change of manager from Christina Braga to Patrick Ford.

Decision: Granted.

7. Application #251448 Better Eating, Inc. d/b/a Veggie Grill, 57 JFK Street, for a new Common Victualler License, with premises described as: Approximately 2,339 sq. ft. retail restaurant space with 8 rooms on first floor consisting of dining areas, kitchen, walk-in coolers, storage rooms, and restrooms; one room with public access; speakers for background music in ceiling; two entrances and exits. 50 seats inside with maximum occupancy of 61; Manuel Alverado as proposed manager of record; and proposed hours of 11:00 a.m. – 11:00 p.m. This is a new operator for the same previous operation and without alcohol.

Decision: Granted.

8. Application #251727 Inman Cambridge, LLC d/b/a Inman Square Wine & Spirits, 1226 Cambridge Street, All Alcoholic Beverages Package Store License #11542, for a one-day amendment on 12/24 and 12/31/23 to extend their operating hours from 12:00 p.m. – 8:00 p.m. to 9:00 a.m. – 11:00 p.m.

Decision: Granted with modification – approved hours, per state law, 10:00 a.m. – 11:00 p.m.

9. For Ratification - New Year's Eve Extension of Hours as Approved by Designee

Application #132251 Rutu, Inc. d/b/a Tanjore, 878 Massachusetts Avenue, Common Victualler All Alcohol License, extending from 1:00 a.m. to 2:00 a.m. for alcohol and 3:00 a.m. for food and entertainment with the condition that there cannot be admittance of any new patrons after 1:00 a.m.

Application #11626 Dante Alighieri Society of Mass, Inc. d/b/a Dante Alighieri Society of Mass, 41 Hampshire Street, Club All Alcohol License, extending from 1:00 a.m. to 2:00 a.m. for alcohol and entertainment.

Application #11598 Facility Concession Services, Inc. d/b/a The Sinclair, 52 Church Street, Common Victualler All Alcohol License, extending from 1:00 a.m. to 2:00 a.m. for alcohol, food and entertainment with the condition that there cannot be admittance of any new patrons after 1:00 a.m.

Application #89841 Love Art Udon Comm, LLC d/b/a Cloud and Spirits, 795 Main Street, Common Victualler All Alcohol License, extending from 1:00 a.m. to 2:00 a.m. for alcohol, food and entertainment.

Application #124523 Charles Fine Dining, LLC d/b/a Bar-Enza, 1 Bennett Street, Common Victualler All Alcohol License, extending from 1:00 a.m. to 2:00 a.m. for alcohol, food and entertainment.

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Application #11651 Brilliant Foods, LLC d/b/a Summer Shack, 149 Alewife Brook Parkway, Common Victualler All Alcohol License, extending from 1:00 a.m. to 2:00 a.m. for alcohol, food and entertainment.

Application #132709 Industry, LLC d/b/a Manray, 40 Prospect Street, General on Premises All Alcohol License, extending from 2:00 a.m. to 3:00 a.m. for entertainment with the condition that there cannot be admittance of any new patrons after 1:00 a.m.

Application #13678 Belly to Bones, LLC d/b/a Talulla, 377-A Walden Street, Common Victualler All Alcohol License, extending from 10:00 p.m. to 11:00 p.m. for alcohol and 12:00 a.m. for food and entertainment.

Application #11478 HK Food Group, LLC d/b/a Alden & Harlow/Longfellow Bar at Alden & Harlow, 40 Brattle Street, Common Victualler All Alcohol License, extending from 1:00 a.m. to 2:00 a.m. for alcohol, food and entertainment.

Application #11682 Greek American Political Club of Mass d/b/a Greek American Political Club, 288 Green Street, Common Victualler All Alcohol License, extending from 1:00 a.m. to 2:00 a.m. for alcohol and 3:00 a.m. for food and entertainment with the condition that there cannot be admittance of any new patrons after 1:00 a.m.

Decision: Approved/Ratified as to all.

10. For Ratification - Changes Requested Through Renewal Applications

Application #109172 Whisnant A & MacLean R d/b/a Zuzu's Petals, 204 Hampshire Street, Common Victualler Malt, Wine & Cordials License, changing food opening operating hours on Thursday and Friday from 12:00 p.m. to 8:00 a.m. and Saturday and Sunday from 12:00 p.m. to 9:00 a.m. Alcohol opening operating hours remain at 12:00 p.m. on all days.

Application #167168 Faro Café, LLC d/b/a Faro Café, 5 Arrow Street, Common Victualler License, increased indoor seating from 19 to 24.

Application #12391 Mount Auburn Hospital, 300 Mt. Auburn Street, Common Victualler License, change of manager from Barbara Noteboom to Paul Couch.

Application #10734 820 SRO, LLC d/b/a Central House, 820 Massachusetts Avenue, Innholder/Lodging House License, change of manager from Krystal Gately to Tom Nee.

Application #146078 President and Fellows Harvard College d/b/a Harvard Dining Services-Harkbox Cafe, The Pub Grille & Harkness Café, 1585 Massachusetts Avenue, Common Victualler License, change of manager from Kim Smith to Joe Flueckiger.

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Application #12221 PR Management Corp. d/b/a Panera Bread, 5 White Street, Common Victualler License, change of manager from Keila Centeio to Brenda Avila.

Application #148643 LPGMG, Inc. d/b/a New Republik, 1172 Cambridge Street, Common Victualler All Alcohol License, new floor plan submitted reducing seating capacity and increasing standing capacity. Square footage remained the same; Inspectional Services Department approved plan and issued new CI.

Application #11478 HK Food Group, LLC d/b/a Alden & Harlow/Longfellow Bar at Alden & Harlow, 40 Brattle Street, Common Victualler All Alcohol License, new floor plan submitted for first and second floors increasing seating capacity, reducing standing capacity, and increasing by 2 the overall occupancy of the space. Square footage remained the same; Inspectional Services Department approved plan and issued new CI.

Summary: For the New Republik one, both the seating and standing capacities increased. The CI originally issued by ISD had the capacities inverted – meaning standing number was put down for sitting and vice versa. The new maximum occupancy did not get affected upon correction of the CI by ISD.

Decision: Approved/Ratified as to all.

11. Approval of Statement of Reasons

[Matter Heard October 3, 2023]

LPGMG, Inc. d/b/a New Republik, All Alcohol Common Victualler License #148643, 1172 Cambridge Street, violation of G.L. c. 138, §§ 23, 64-64A, 69, G. L. c. 140, and Board's Rules 2, 12B.6, and 12B.7, Service/Sale/Delivery of Alcohol to an intoxicated patron on August 8, 2023. One day suspension held in abeyance for six (6) months.

[Matter Heard October 25, 2023]

Super Target Liquor of Massachusetts, Inc. d/b/a Target, 564 Massachusetts Avenue, Wine and Malt Package Store License #12982, informational hearing on business practices, manner in which business is being conducted, and alcohol related shoplifting at Target, and determination whether a revocation of the liquor license is appropriate, pursuant to G. L. c. 138, §§ 15, 23, 64, and Board's Rules 5.1-5.3. Conditions added to the license: Must keep coolers with alcohol locked at all times. Must keep all alcohol shelves locked and secured at all times. When alcohol is being sought, the beverages are to be taken by store representative to the cashier. The patron is to be provided the alcohol once the sale is complete.

[Matter Heard November 14, 2023]

Eversource, 23 Healey Street, violation of CMC 8.16.081.2(a), operating leaf blowers during a prohibited period on September 6, 2023. \$300 fine held in abeyance for 6 months.

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[Matters Heard December 1, 2023]

Loyal Cleaning Solutions, Leaf Blower Permit #34103, violation of CMC 8.16.081.2(f), improperly operating multiple leaf blowers, on November 8, 2023 at 4 University Road. \$300 fine.

The Cheesecake Factory Restaurants, Inc. d/b/a The Cheesecake Factory, 100 Cambridgeside Place, All Alcohol Common Victualler License #11347, violation of 527 C.M.R. 1.00, §§ 20.1.5.6.1 – 20.1.5.8.4, G. L. c. 138, §§ 23 & 64, G. L. c. 140, and the Board's Rules 2.3, 2.5, 5.1, 5.7, 8.3, 9.2, 9.3, 9.4, and 14, failure to provide proof of training in the safe service, sale, and delivery of alcohol; have a certified crowd manager onsite while operating; complete crowd control management paperwork; and comply with approved floor plan on October 27, 2023. One (1) day suspension held in abeyance six (6) months.

Decision: Approved as to all.

12. Consideration of Board Meeting Minutes November 14, 2023; and December 1, 2023.

Decision: Approved as to both.

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 #249448 Raiesia Straker, Diaspora Exp Corp, for an entertainment license at 33 Dunster Street, on 12/31/23 from 8:00 p.m. – 3:00 a.m. for a New Year's Party with patrons dancing, performers/entertainers dancing, DJ and amplification system. Expected attendance – 150.

Summary: This application was replaced by Application #252015, which is for the same thing but with an all alcohol component to it. This happened because when Application #249448 was reviewed, we noticed the event was 21+ and inquired why if it was only for entertainment. Applicant responded that it was 21+ as there would be food and alcohol served by a caterer. Applicant was advised that the caterer had yet to pull a one-day alcohol license. The event is advertised on social media and there is a charge to attend, it is open to the public and therefore a one-day alcohol license is needed. Applicant was also asked whether there would be sale or consumption of cannabis and they represented there is never any sale of cannabis and that there would be no consumption of cannabis at the event. Applicant was advised the one-day alcohol license was needed, and so they submitted the #252015 to cover all aspects. There is also a change to the expected attendance to 250, which is within the allowable capacity for the space. At this time we are still waiting for the applicant to provide proof of Diaspora Exp Corp's non-profit status. Otherwise, the license can only issue for malt and wine.

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Decision: Granted for malt and wine only per provisions of G.L. c. 138, § 14, and with the condition that there cannot be admittance of any new patrons/attendees after 1:00 a.m. If the applicant provides proof of non-profit status, granted for all alcohol if compliant with provisions of G.L. c. 138, § 14, with the condition that there cannot be admittance of any new patrons/attendees after 1:00 a.m. Police detail requested by applicant.

14. Application #249623 Javier Negron for an all alcohol and entertainment license at 400 Harvard Street, on 2/17/24 from 5:00 p.m. -12:00 a.m. for a gala with patrons dancing, performers/entertainers dancing, recorded music, DJ, live music, amplification system and light show. Expected attendance -200.

Decision: Granted with amended start time of 6:00 p.m. per permission letter.

15. Application #249599 Michael Harrison, Eli Lilly and Company, for a malt and wine license at 101 Rogers Street, on 12/14/23 from 11:00 a.m. – 5:00 p.m. for a holiday party and poster session. Expected attendance – 275.

Summary: This application was administratively considered and granted outside of the hearing due to the date and time. This would be for a ratification of that grant.

Decision: Ratified/granted.

16. Applications #250503 & 251224 Jason Alves, East Cambridge Business Association, for an all alcohol and hawker/peddler (57 vendors) license at 1310 Cambridge Street, on 12/17/23 from 11:00 a.m. – 5:00 p.m. for an Inman holiday market and selling of crafts. Expected attendance – 1000.

Decision: Granted with the condition that the area where the alcohol is served, sold, and consumed must be enclosed from the public way.

17. Application #250931 Nira Gurung, Tamu Samaaj (Society) of Boston, for an all alcohol and entertainment license at 400 Cardinal Medeiros Avenue, on 12/29/23 from 12:00 p.m. – 11:00 p.m. for a cultural program with patrons dancing, performers/entertainers dancing, DJ and live music. Expected attendance – 400.

Decision: Granted with amended start time of 6:00 p.m. per permission letter.

18. Application #250945 Revels, Inc. for a hawker/peddler (for 10 vendors) license at 45 Quincy Street, on 12/14, 12/15, 12/16, 12/17, 12/21, 12/22, 12/23, 12/26, 12/27 & 12/28/23 from 2:00 p.m. – 10:00 p.m. to sell cd's, books, ornaments, cards and prints.

Decision: Granted.

19. Application #251000 Jonathan Menitove, Newtowne School, for a malt and wine and entertainment license at 11 Garden Street, on 1/27/24 from 7:00 p.m. - 10:30 p.m. for a

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dinner/fundraiser with patrons dancing, live music and amplification system. Expected attendance – 150.

Decision: Granted.

20. Application #251100 Boris Kusturic, St. Sava Cathedral, for a malt and wine and entertainment license at 41 Alewife Brook Parkway, on 1/13/24 from 7:00 p.m. – 12:00 midnight for a dinner dance with patrons dancing, DJ, live music and amplification system. Expected attendance – 150.

Decision: Granted.

21. Application #251292 Pedro Morales, Christmas Revels, for a malt and wine license at 45 Quincy Street, on 12/14-12/17; 12/21-12/23; 12/26-12/28 from 5:00 p.m. – 11:00 pm. (12/14,15, 21 & 27) 1:00 p.m. – 6:00 p.m. (12/16); 11:00 a.m. – 8:00 p.m. (12/17); 12/22, 23 & 26 1:00 p.m. – 11:00 p.m. & 11:00 a.m. – 4:00 p.m. (12/28) for a musical show. Expected attendance – 1000.

Decision: Granted.

22. Application #251496 Lupo Partners, Inc. d/b/a Gufo, 660 Cambridge Street, Common Victualler All Alcohol License #174713, for an entertainment license on 12/15/23 from 5:00 p.m. – 12:30 a.m. for a party with patrons dancing, performers/entertainers dancing, live music and amplification system. Expected attendance – 70.

Decision: Granted.

23. Application #251450 JJ Gonson for a malt and wine and entertainment license at 2 Gerry's Landing, on 12/21/23 from 4:00 p.m. -11:00 p.m. for a holiday party with patrons dancing and recorded music. Expected attendance -50.

Decision: Granted with amended hours of 6:00 p.m. – 10:00 p.m. per permission letter.

24. Application #251641 Nicola Williams, Sustainable Business Network of MA, for a hawker/peddler license (19 vendors) at 1 Brattle Square, on 12/15 & 12/16 12:00 p.m. – 7:00 p.m. and 12/17 12:00 p.m. – 6:00 p.m. to sell gifts, packaged vegan treats, packaged sauce, dog treats, clothing, jewelry, bags, fine art and prints. (Requesting a fee waiver).

Summary: The City has submitted a letter stating they are sponsoring the event.

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

Matters Considered at Meeting and Which Were Added to the Agenda After Posting

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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.

25. Application #119855 Dancing in the Dark, LLC d/b/a Cantab Lounge, 738 Massachusetts Avenue, General on Premises All Alcohol License, through the renewal application added 1 dart board to their entertainment devices.

Decision: Approved/ratified.

26. Application #251926 Nicola Williams for an entertainment license at 1 Brattle Square on 12/15 and 12/16 from 12:00 p.m. -7:00 p.m. and 12/17/24 from 12:00 p.m. to 6:00 p.m. for a holiday pop up of black-owned and immigrant-owned small business vendors with recorded music and amplification system. Expected attendance -300.

Summary: This is related to Application #251641. The City has submitted a letter stating they are sponsoring the event.

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

27. Application #252069 Alexander Maciel, Brotherhood of Saint John, for an all-alcohol and entertainment license at Saint Anthony's Church on 1/13/24 from 6:00 p.m. – 12:00 a.m. for a dinner with DJ, amplification system, live and recorded music, light show and patrons and performers/entertainers dancing. Expected attendance – 250.

Decision: Granted.

28. Application #252042 Rachel Kha, Shomik Jain of the Institute for Data, Systems and Society, for an entertainment and a wine and malt license at MIT campus on 12/15/23 from 7:00 p.m. – 10:00 p.m. for a department holiday party with recorded music. Expected attendance – 125.

Decision: Granted, police detail required.

29. Application #252159 Sasha Fried-Snoad for an entertainment license at MIT Open Space Programming, 292 Main Street, on 01/10/24 from 6:00 p.m. – 7:30 p.m. for a yoga and meditation event with DJ, recorded and live music, amplification system, patrons and performers/entertainers dancing. Expected attendance – 200.

Decision: Granted.

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Minutes Approved: January 12, 2024

Minutes Posted: January 17, 2024

By the Board of License Commissioners

Nicole Murati Ferrer, Chair

Thomas Cahill, Jr., Fire Chief

Christine Elow, Police Commissioner