



CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

MEETING MINUTES

**For Meeting of Wednesday, November 1, 2017 at 3:00 p.m.
Michael J. Lombardi Building, 831 Massachusetts Avenue
Carmelia M. Vicente Basement Level Conference Room**

Meeting Started at 3:08 p.m.

Board of License Commissioners Board Members Present: Nicole Murati Ferrer, Branville Bard, and Gerard Mahoney

Staff Present: Elizabeth Y. Lint, Executive Director

Public Testimony Matters:

Although matters were called in the order listed in the posted agenda, some matters required a second call due to the absence of the relevant parties when the matters were called. The matters are in the same order as listed in the posted Meeting Agenda, and if they required a second call, designation of the audio time stamp for both calls are listed.

1) President and Fellows of Harvard College, d/b/a The Pub, holder of a Wine and Malt Educational License and Entertainment License as 1585 Massachusetts Avenue has applied to amend said Entertainment License to include an additional three (3) TV's and Trivia.

Present: Kim Smith, manager of record.

Documents considered by Board: Application submitted and documents attached thereto.

Summary: To bring the entertainment into compliance, a request is being made to add 3 TVs for a total of 5 TVs and also to add trivia to the entertainment license. A clarification was made that the request also includes a proposed change from music above conversation level to at or below conversation level.

Decision: Granted (3-0).

2) Application La Dolce Vita Caffe, Inc. d/b/a Bom Café has applied for a Common Victualler License at 1093 Cambridge Street with a seating capacity of 24 and proposed hours of 6:00 a.m. to 10:00 p.m. seven days per week. Pricila Trancoso as proposed manager of record of a premise described as: approximately 900 SF on the first floor with counter, kitchen, restroom, one entrance and two exits.

Present: No show at first or second call (3:30 p.m.)

Decision: No action taken.

3) **Appeal** Michael Gervais, holder of Cambridge Hackney Driver's License #29035 due to the nonrenewal of his hackney license.

Present: Officer Benny Szeto; Michael Gervais

Documents considered by the Board: Appeal and all documents in current file.

Summary: Gervais requests his Hackney License be reinstated as all criminal charges against him were dropped by the complainant. Gervais denies the allegations made against him but did not have anything else to offer. Gervais highlighted that the contention that his MA driver's license was suspended was a mistake. It was in non-renewable status because of unpaid tickets but it was not suspended.

Decision: The Board deferred (3-0) its decision to November 15, 2017, to allow Commissioner Bard a chance to review the file and transcript from the last hearing regarding Mr. Gervais's request to renew his license.

Administrative Matters:

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

4) **Consideration of Renewal:** Pema Jigmey, holder of Cambridge Hackney Driver's License number 28760.

Documents considered by the Board: Application submitted and documents attached thereto.

Summary and Decision: Based on the recommendation made by Officer Szeto, the Board granted (3-0) the renewal with a one (1) year probationary period – if any further moving violations occur during that year, the license will be immediately and permanently revoked.

5) **Board discussion of Policy** approved on February 8, 2017 regarding half payment of alcohol renewal license fees.

Documents considered by the Board: February policy and City Solicitor's opinion of June 14, 2017.

Summary: The February policy was adopted mainly because the system used to keep track of licenses was not adept in keeping track of non-use licenses and the monies owed. In addition, the policy was adopted prior to the City Solicitor's opinion of June 14, 2017 regarding liquor license fees. The Board never implemented or applied the February policy so it did not affect any licensee. In addition,

although the Board knew the policy was moot due to the City Solicitor's opinion, it had not stated as much in an open meeting.

Decision: Board revoked (3-0) the February policy. All liquor licensees will be able to choose whether to pay half or the full annual renewal fee in the month of November.

6) IBD Ltd, d/b/a Darwin's Ltd. at 313 Massachusetts Ave., is requesting a one day change to their existing license on November 2, 2017 to remain open until 12:00AM.

Decision: Granted (3-0) – this is for a private event.

One Day Applications:

These applications are also considered administratively and there is no public testimony taken or requested. Unless otherwise indicated, all the matters are decided upon by the individual review of the papers/applications before the Board members and each member votes upon the matter. The summary of what is considered by the Board, unless otherwise indicated, is the identifying information of the matter as listed on the agenda. In addition, the documents considered by the Board are the one day application submitted by the applicant and any other supporting document attached thereto. Police detail is required on some based on the recommendation of the signing-off police department.

7) Patricia Weinmann, on behalf of Boston Opera Collaborative, has applied for a wine with entertainment license to be exercised at Longy School of Music, 27 Garden Street, on 11/10/17, 11/11/17 & 11/12/17 from 7:00 p.m. – 9:30 p.m. for a concert/reception with recorded/live music. Expected attendance – 100 people.

Decision: Granted (3-0), with the condition that there must be a limited number of alcoholic drinks associated with the admission fee or alcoholic drinks must be sold.

8) Andrew Fisher, on behalf of the Briar Group, has applied for a one-day amendment to existing license to be exercised at 450 Kendall Street (area of patio), on 11/7/17 & 11/14/17 from 6:00 p.m. – 8:00 p.m. for a cornhole league. Expected attendance – 30 people.

Decision: Granted (3-0), as a one day license pursuant to G. L. c. 138, § 14, for wine and malt only.

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9) Rev Aleksandar Vljakovic, has applied for a malt and wine with entertainment license to be exercised at St. Sava Serbian Orthodox Church, 41 Alewife Brook Pkwy, on 11/4/17 from 6:30 p.m. – 12:00 a.m. for a fundraiser with patrons dancing and recorded/live music. Expected attendance – 120 people.

Decision: Granted (3-0).

10) Edward O'Connor, has applied for an all alcohol with entertainment license to be exercised at Cambridgeside Galleria, 100 Cambridgeside Place, on 11/19/17 from 10:00 a.m. – 1:00 p.m. for a road race with patrons, performers/entertainers dancing, recorded/live music and amplification system. Expected attendance – 7500 people. [Approved by Special Event Committee].

Summary & Decision: Granted (3-0) with the modification that it be a wine and malt only license as the applicant is not a non-profit, and with the condition that there must be a limited number of alcoholic drinks associated with admission fee, or alcoholic drinks must be sold.

11) Sara Wilson, has applied for an entertainment license to be exercised at MIT Walker Memorial, 142 Memorial Drive, on 11/3/17 from 5:00 p.m. – 8:00 p.m. for a gala fundraiser with patrons dancing, performers/entertainers dancing and recorded/live music. Expected attendance – 350 people.

Decision: Granted (3-0).

12) Kacie Bawiec, has applied for an entertainment license to be exercised at MIT Kresge Little Theater, 48 Massachusetts Avenue, on 11/3, 11/4, 11/9, 11/10, 11/11 from 8:00 p.m. – 11:00 p.m. & 11/5 from 4:00 p.m. – 7:00 p.m. for a theatrical performance with recorded/live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 500 people.

Decision: Granted (3-0).

13) [Late submission] Dalia Deak, on behalf of the Middle East Law Students Association, has applied for a one day peddlers license form November 9-11, 2017, from 5:00 – 10:00 p.m. at Austin Hall.

Decision: Granted (3-0).

14) [Late submission] Alice Tang and Victor Rogers have applied for a one day peddlers license on November 4, 2017, at Sanders Theater.

Decision: Granted (3-0).

15) [Late submission] Pamela Willis, on behalf of Pammy's Restaurant, 928 Massachusetts Avenue, has applied for a one day entertainment license on November 11, 2017, from 10:00 p.m. – 1:00 a.m., for dancing and DJ for a wedding.

Decision: Granted (3-0).

Late Addition/Amendment to Agenda:

16) Application deferred from October 18, 2017, Wholesome Fresh MA, Corp. d/b/a Hello Fresh, has applied for a Common Victualler License at 60 Church Street with a seating capacity of 20 and proposed hours of 24 hours per day. Chris Cha as proposed manager of record of a premise described as: approximately 5,195 SF on the ground floor with 2 entrances. 1,500 +/- SF kitchen space.

Present: Attorney Sean Hope, on behalf of licensee.

Documents considered by the Board: Application and supporting documentation, correspondence and supporting documentation from Attorney Hope, and correspondence from Landlord of the premises, John DiGiovanni.

Summary: The Board had deferred its decision on this application as the space is currently occupied by another entity that holds a package store and common victualler license. Representations and evidence was produced showing that steps were taken by the landlord to take possession of the premises and that a Sheriff would be in possession of the premises and the alcohol therein on November 2, 2017. The proposed operation would be very similar to the one currently there and very few changes to the premises are expected. Attorney Hope also clarified that his and his clients' understanding of the pledge clause in the lease (relating to a future liquor license which his clients intend to apply for) is that once the pledge is paid, there is no more pledge on the liquor license.

Decision: Granted (3-0).

Board's Approval of Minutes:

NMF

BGB

GEM



Date Minutes Approved: _____

11/29/17

Date Approved Minutes Were Posted: _____

NOV 30 2017