



CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

MEETING MINUTES

**License Commission Hearing of
Wednesday, October 3, 2018 at 3:00 p.m.
Michael J. Lombardi Building
831 Massachusetts Avenue
Carmelia M. Vicente Conference Room (Basement Level)
Cambridge, Massachusetts**

Meeting started at 3:03 p.m.

Board of License Commissioners Members: *Nicole Murati Ferrer (present), Gerard E. Mahoney (present), and Branville G. Bard (present).*

Staff Member Present: *Elizabeth Y. Lint, Executive Director.*

Note: *All votes, unless otherwise indicated, were 3-0.*

Public Testimony Matters

Matters may have been called in a different order than that listed on the agenda. In addition, some matters may have required a second call.

1) Application CAVA Mezze Grill, LLC d/b/a CAVA, 82 Ames Street, has applied for a new Common Victualler License #18655, with seating capacity of 38 and an occupancy of 77, 20 seasonal patio seats on private property with proposed hours of operation from 10:45 a.m. to 10:00 p.m. all days. Megan Harvey as proposed manager of record of a premise described as: 2,262 SF. First floor. End cap in the Kendall Square area. There is a walk in cooler and kitchen in the back of house. There are 2 entrances and exits total. No entertainment or DJ of any type, or speakers. The main dining area and the restrooms are the only rooms with public access. Patio seating on private property.

Present: Megan Harvey, applicant.

Documents Considered: Application and documents attached thereto.

Summary: The concept is the same as the one they have at Boylston Street in Boston. There is no intent to serve alcohol. There was discussion about the premise description and based on floor plan and answers provided it was amended at the hearing. Applicant also informed all common victuallers have background music automatically included in their license.

Decision: Application granted with amended premise description as follows: Approximately 2,262 square feet. In one room on the first floor with kitchen and storage in the rear. Also includes outdoor seating on private property.

2) Application 1868 Mass Ave., LLC d/b/a Hotel 1868, 1868 Massachusetts Avenue, has applied for a new Garage License with Additional Flammables for 47 vehicles, 470 gallons of gasoline in the tanks of autos only, and 30 gallons of Class 1 in containers. [Application # 19412]

Present: Attorney Trish Farnsworth; Kevin Sheehan, Director of Operations; and Curtis Butcher, General Manager.

Documents Considered: Application and documents attached thereto.

Summary: There are 32 spaces for hotel guests, these are paid spots; most are underground, the handicapped accessible are aboveground. There are 15 parking spaces aboveground for Lesley University's use only as part of the easement agreement with Lesley; these are unpaid parking spaces. The additional 30 gallons of Class I flammables are for the hotel's use for maintenance tools, this would be not for direct consumption. The Interdepartmental Parking Registration form submitted was when the property was going to be condominiums, a new one will be supplemented.

Decision: Granted conditional on submitting a new interdepartmental parking form. Note to be added on description/conditions: 32 spaces are for hotel guests and are all underground except for the handicapped; and 15 spaces are above ground and for Lesley University's use only. The 30 gallons are "not for direct consumption."

3) Application Lotus Kuai Harvard, Inc. d/b/a Changsho, 1712 Massachusetts Avenue, C.V. All Alcohol License #11360, has applied for a Change of d/b/a to Lotus Parc.

Present: Attorney Alan Chow.

Documents Considered: Application and documents attached thereto.

Summary: Founders' children are taking over the management of the business and want to rebrand with a new menu and more healthy options. There will be no changes in beneficial interest.

Decision: Granted.

4) Application 242, Inc. d/b/a Cambridge I [sic], 27 Church Street, holder of Common Victualler Wine and Malt Beverages License #11281-1, has applied for a Change of License Category to All Alcoholic Beverages.

Present: Chris Lutes, owner; Michelle Kousidis, general manager; Denise Jillson, Harvard Square Business Association; and Attorney Kevin Crane, on behalf of landlord/pledge holder.

Documents Considered: Application and documents attached thereto.

Summary: The name should be Cambridge 1. (as it was in honor of the fire station). The business has been operating since 2002 and there is a need for it to grow with the Square and change

with the demands of the square. Many customers have left the business when they notice it does not have a full bar; they have also lost bookings of private events when they inform the customer that they cannot offer a full bar. The foot traffic and customers of the area require and demand a complete experience. This is a tourist area and the full bar is needed to be able to service them. The intent is to enhance the sit-down dining experience.

Denise Jillson spoke in favor of the petition. She highlighted the need for this business (and all others in Harvard Square) to be able to offer a full experience to the customer base of the area, in particular families dropping off or visiting students.

Mr. Crane did not oppose the petition but explained his client, the landlord, holds a pledge on the current license and the note is still outstanding. They want to make sure the pledge remains active and for it to attach to the new license if granted. Mr. Lutes confirmed that it was his intent to keep the pledge "alive" and for it to attach to the new license.

The Board discussed the need for the pledge to be approved as the all alcohol license is not an "upgrade" but rather a "new license." There would be confirmation with the ABCC. If there is a need to approve the pledge, the Board would add it to the certification form sent to the ABCC, no need for a new hearing.

Decision: Granted.

5) Application Bertucci's Restaurant Corp., 5 Cambridgepark Drive, C.V. All Alcohol License #11331, has applied for a Change of Manager to Sean Campbell.

Present: Sean Campbell, proposed manager.

Documents Considered: Application and documents attached thereto.

Summary: Mr. Campbell has been an approved manager of record in Randolph and North Attleboro with no issues at either location. He is currently TIPS certified.

Decision: Granted, TIPS certification to be submitted.

6) Application S. L. W & P Hong Kong Restaurant, Inc. d/b/a Hong Kong Restaurant, 1238 Massachusetts Avenue, holder of Common Victualler All Alcohol License #11688-1, has applied for a Change of Beneficial Interests, and Transfer of Stock/New Stockholder.

Present: Attorney Kevin Crane; and Paul Lee, owner.

Documents Considered: Application and documents attached thereto.

Summary: The application intends to “clean up” a transfer of interest that was made based on a bequeath of a will of one of the beneficial interest holders. This application had been previously filed but the ABCC noticed the discrepancy as to the beneficial interest holders and this application “cleans it up.” The application contains an ownership schedule, prepared by Mr. Lee’s accountant, showing how the original owners interests had been divested through the years. All changes were amongst family members and as gifts. Mr. Paul Lee now holds a majority interest and Ms. Evelyn Thom owns the remaining interest.

Decision: Granted.

7) Application Cambridge Craft, LLC d/b/a World of Beer, 100 Cambridgeside Place, holder of Common Victualler All Alcohol License #11565-1, has applied for a Change of Beneficial Interests, Change of Manager, and Transfer of Stock/New Stockholder.

Present: Attorney Dennis Quilty; Ben Novello, principal of WOBF New England, LLC; and Matt Sousa, proposed manager.

Documents Considered: Application and documents attached thereto.

Summary: Mr. Quilty commenced with an apology to the Board for the violation and unapproved changes in interest. He explained it was not as a matter of the new ownership trying to evade the law. Mr. Novello, a principal of one of the proposed new interest holders, also apologized and explained that they were under the impression all was taken care of and any changes would be made during the renewal of 2019. He also apologized for the fire code violations and admitted they had a lot of training to do to bring the location up to par. The location has been operating the common victualler license only, as approved by the Board, and have lost a significant amount of business. They will compensate their employees accordingly. All violations, including the Happy Hour Regulation violation, have been corrected.

As to the application, the location was a franchise and was doing so well that corporate decided to buy it back. The new proposed interest is divided into Attitude Beer Holdings (publicly traded company) and WOBF New England, LLC (privately held with multiple interest holders). All of the principals at corporate, WOBF, have extensive experience in the industry and have been very successful with the same and similar concepts around the United States. Mr. Sousa has experience in the business and is already TIPS certified.

The Board explained the need for the proposed new interest holders to get educated as to the laws of Massachusetts. It also cautioned the applicant to become aware of the need to ensure that the renewal is handled properly and in accordance to the law. The staff should be properly trained as to all laws.

Decision: Granted. Applicant to submit TIPS certification, and DUA and DOR certificates.

8) **Application** Elmendorf Specialty, LLC d/b/a Elmendorf Baking Supplies, 594 Cambridge Street, has applied for a New Common Victualler License #20264 with seating capacity of 20 inside, 10 outside on the public sidewalk, and an occupancy of 40, with proposed hours of operation from 7:00 a.m. to 11:00 p.m. all days. Teddy Applebaum as proposed manager of record of a premise described as: 1200 square feet with 2 exits: 1 in front and one in back. Ambient speakers. Kitchen located towards back of store. Business is on first floor of building. Storage in back and secured basement area. Patio on public sidewalk.

Present: Alyssa Applebaum, owner; and Teddy Applebaum, owner.

Documents Considered: Application and documents attached thereto; and letter from East Cambridge Business Association in support of application.

Summary: This will be a baking supply shop for the home baker which also includes a café. The intent is to open now without the outdoor seating as the applicant has not completed the process with DPW. The applicant would return during the Spring time with an application to add the outdoor seating.

The Board discussed there would be no need to come back with an application for the outdoor seating as it was part of the current application and could be considered. If approved, the outdoor seating would just not be operational until all proper approvals from DPW and City Council were submitted.

Decision: Granted, including the outdoor seating. The license will contain a condition that the outdoor seating cannot be used. The condition will remain until the applicant submits DPW and City Council approval.

9) **Violation** Bob Bassill, Local Motion of Boston, for alleged violation of Cambridge Municipal Code 8.16.060(B) - Noise in residential areas or affecting residential property, and 8.16.060(E) – Area noise standards.

Present: Chief Licensing Investigator Andrea Boyer; Bruce Barrows, Local Motion of Boston; and Bob Bassill, Local Motion of Boston.

Documents Considered: Hearing notice and documents attached thereto; noise readings taken by Chief Boyer; information on Local Motion of Boston's website; documents provided by Local Motion; and email correspondence from complainants.

Summary: A complaint was received by the resident at 160 Mt. Auburn Street that the Bentley Shuttle is significantly noisier than all other buses that run the route. Local Motion runs 3 buses down that route. Chief Boyer, although attempted to test all, was unable to do so based on Local Motion's failure to provide the schedule for the buses. However, the buses Chief Boyer tested all had a range of sound emissions between 75.6 and 82.8 d(B)A. The MBTA buses, for which there was a similar case in the past, all emit 65 dB(A). Although the Noise Ordinance requires the d(B)A level to be 50, because of

the MBTA buses and all other noise in the area, the buses at issue would only have to be brought down to the 65 d(B)A level.

Mr. Barrows and Bassill explained what they have done to bring the buses into compliance. They contacted the manufacturer and installed baffling. The baffling, however, has only brought it down a couple of levels and are still significantly over 65 d(B)A. Local Motion owns a significant number of buses but they do not believe that any would be able to service the area. They have about seven and a half months left in their contract with Bentley and buying new buses would be a significant strain; it is not clear Bentley would renew the contract. They also changed the route hours so that they are not traveling the area as late.

Decision: Board found a violation and issued a \$1,200 fine (\$300.00 per month since the complaint was initiated). The matter will be continued and reheard on October 24, 2018. Between now and the next hearing, they must contact Chief Boyer, provide all information requested, and take steps to attempt to resolve the violation, including but not limited to, attempting to use other buses in their fleet, talking to representatives of Bentley, and looking into purchasing compliant buses.

10) Violation Thriving Gardens, LLC, Holder of Leaf Blower Permit #13379, for alleged violation of Cambridge Municipal Code 8.16.081.2(a)- operating during a prohibited period on August 13, 2018, at 2:31 p.m. at 6 Berkeley Street, and August 14, 2018 at approximately 12:45 p.m. at six (6) separate addresses on Wendell and Gorham Streets.

Present: Chief Licensing Investigator Andrea Boyer. No one appeared on behalf of Thriving Gardens.

Documents Considered: Hearing notice and documents attached thereto; video of incident of August 13, 2018; and file.

Summary: The matter was originally scheduled for September 10, but Ronald Hudson, from Thriving Gardens, had requested a continuance to the October 3 hearing, which was granted. The matter was called twice and then Chief Boyer called Mr. Hudson. Mr. Hudson said he forgot about the hearing and requested the matter be further continued. The Board denied the request and proceeded with the hearing.

Chief Boyer testified she received a video of a Thriving Gardens employee operating a leaf blower at 6 Berkeley Street on August 13, 2018. The address is one serviced by Thriving Gardens. As to the other alleged complaint regarding the use of a leaf blower at six different addresses on Wendell and Gorham Streets on August 14, 2018, Chief Boyer testified the complainant did not provide any further details as to the observations, photographs or videos.

Decision: Violation for the improper use of a leaf blower on August 13, 2018 at 6 Berkeley Street, and issued a \$300.00 fine. No violation for the alleged six counts of improper use of leaf blowers on August 14, 2018.

11) Violation John's Landscape Service, Inc., for alleged violation of Cambridge Municipal Codes 8.16.081.2(a) - operating during a prohibited period on August 6, 2018, at approximately 9:00 a.m. at 152 [sic] Vassal Lane; and 8.16.081.1(1)(b) and 8.16.081.2(c) – failure to complete the renewal application. The board may also discuss your failure to respond to requests for information and operating without a permit.

Present: John Tighe, President of John's Landscape Service, Inc.; Licensing Investigator Tyler Bubenik; and Chief Licensing Investigator Andrea Boyer.

Documents Considered: Hearing notice and documents attached thereto; John's Landscape file; electronic record for John's Landscape; email communications between Mr. Tighe and the License Commission; and public records related to 152-154 Vassal Lane.

Summary: Mr. Bubenik stated that he was doing routine inspections in the city on August 6, 2018 and observed an employee of John's Landscape using a leaf blower at 154 Vassal Lane. Investigator Bubenik put on the Inspection Notice the address as 152 Vassal Lane because that is the number on the front of the building, but the observation was made at the back of the building. Further review of the area showed that even though it is one building, the back has a different address of 154. The inspection notice noting the violation was provided to a John's Landscape employee at the scene. John's Landscape received a copy of that notice. Chief Boyer testified that she made requests to Mr. Tighe to provide the addresses serviced but he did not provide them. There was discussion as to the multiple messages sent through the electronic system requesting the information. Mr. Tighe said that he had not received it.

Mr. Tighe argued he paid for the leaf blower permit and therefore he was under the impression he was permitted and did not think he needed to provide the addresses serviced. Information was presented that he was informed the addresses were a requirement of the application not a courtesy. He said that he is trying to be compliant in the City and has instructed his crews not to use leaf blowers. He did not question any of his employees about the violation even after receiving the hearing notice. He did not know which truck it was as he has 40 trucks. He admitted his trucks have a GPS and he can go through the records to confirm where they were on the date and time of the alleged violation.

Decision: Violation for operating a leaf blower during a prohibited period and issued a \$300.00 fine. The Board also found violations for operating without a permit and failure to respond to requests for information, for which it issued a combined \$300.00 fine. Total fines to be paid, \$600.00.

12) Violation Baystate Lawn and Landscape, for alleged violation of Cambridge Municipal Codes 8.16.081.2(a) - operating during a prohibited period on August 13, 2018, at approximately 10:51 a.m. at Craigie Circle; and 8.16.081.1(1)(b) and 8.16.081.2(c) – operating without a permit.

Present: Not applicable – Waiver of Hearing submitted.

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

Summary: The company has no history, had never been permitted and had never received a cease and desist letter from the Board. They started the permitting process upon receipt of the hearing notice.

Decision: Violation, \$300 fine issued but to be held in abeyance until the end of the calendar year. The fine will not have to be paid if there are no further violations.

13) Violation Hassey Landscaping, for alleged violation of Cambridge Municipal Codes 8.16.081.2(a) - operating during a prohibited period on August 10, 2018, at approximately 2:00 p.m. and August 24, 2018, at approximately 4:00 p.m. at 19 Appleton Street; and 8.16.081.1(1)(b) and 8.16.081.2(c) – operating without a permit. It is also alleged that you failed to comply with a Cease and Desist Order in 2017.

Present: Edward Hassey, owner; Andrea Boyer, Chief Licensing Investigator; and Tyler Bubenik, Licensing Investigator.

Documents Considered: Hearing notice and documents attached thereto.

Summary: [Chief Mahoney recused himself]. Investigator Bubenik made personal observations of the employees of Hassey operating leaf blowers at 19 Appleton Street on August 10 and August 24, 2018. A cease and desist order had been sent to Hassey on April 20, 2017. Chief Boyer sent the hearing notice as to the alleged violations after the August 24 incident.

Mr. Hassey was not aware of the August 10, 2018 violation until receipt of the hearing notice because the employee who got the violation did not tell him and no longer works for him. He did not contest the violations as alleged. He explained that during the August 24 incident the leaf blower was barely used. Explanation as to the Ordinance was made.

Decision: Violation (2-0) as to all counts. Combined warning for the failure to comply with the cease and desist order and violations of August 10, 2018. Combined \$300.00 fine for the violations committed on August 24, 2018. Mr. Hassey also ordered to apply for a leaf blower permit prior to operating leaf blowers in Cambridge.

14) Application Yonase Meskele has applied for a new Cambridge Hackney Driver's License.

Present: Yonase Meskele, applicant.

Documents Considered: Application and documents attached thereto.

Summary: Mr. Meskele stated that he currently drives in Boston and would also like to drive here to increase his income. His hackney license in Boston is still active and has never been suspended. He does not have a current lease agreement.

Decision: Granted.

- 15) Application Jean Paulynice has applied for a new Cambridge Hackney Driver's License.

Decision: No action – applicant did not appear.

- 16) Application Valery Nelson has applied for a new Cambridge Hackney Driver's License.

Present: Valery Nelson, applicant.

Documents Considered: Application and documents attached thereto.

Summary: Mr. Nelson stated that he has never driven a cab before but would like to in order to make extra money. He does not have a lease agreement yet. His license has never been suspended and has no pending issues.

Decision: Granted.

Administrative Matters

All the matters listed below 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.

- 17) Discussion New ABCC application procedure.

Summary: The ABCC eliminated its online application system and has returned to paper applications. Applications will now take more time to process and organize. In addition, if only one copy is submitted, the staff will have to make copies of the application. The ABCC application has to be sent by the licensing staff to the ABCC via first class mail. There will be an increase in administrative cost in terms of staff time and postage. The applicants should submit two copies of the ABCC application and attachments. The applicants should also submit an application fee to process the applications. The fee of \$25.00 should help off-set the cost of processing time as well as postage costs.

Decision: Any alcohol-related application submitted to the Board must include: two (2) paper copies of the ABCC application with two (2) copies of all required ABCC supporting documentation; and an application fee (\$25.00) to the City of Cambridge. All other current requirements of the application process remain.

Board of License Commissioners

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18) Application Vote Deferred from September 12, 2018 hearing: SN KJ, Inc. d/b/a Beauty's Pizza, 187 Hampshire Street, has applied for a new Common Victualler Wine & Malt Beverages License #18674. The proposed hours are 6:00 a.m. to 3:00 a.m. all days with alcohol sales starting after 10:00 a.m. all days and ending at 1:00 a.m. with seating for 20 inside and 28 patio seats on private property. Jigarkumar Purohit as Proposed Manager of Record of a premise described as: 1,250 sq. ft. Italian pizza restaurant with take-out, dine-in, and delivery. One entrance and two exits, and seasonal outdoor seating on private property.

Decision: Deferred – matter still not ripe for vote as the BZA hearing has not occurred and the missing documents are still needed.

19) Application Michael Kasseris, on behalf of Lafayette Square Café, holder of Common Victualler License #16038 is requesting to change their d/b/a to New City Microcreamery.

Decision: Granted.

20) Request Kristine Jelstrup, on behalf of the Amigos School, is requesting that the fee for their peddler permit be waived.

Summary: This relates to the hawker/peddler application listed as #52 on the agenda. The matters are considered together. Amigos is a partner of the Cambridge Public Schools.

Decision: Application for hawker/peddler license granted. License fee waived.

21) Varin Ang, on behalf of MIT, has applied for a special noise variance on October 13 through 14, 2018 at 189 Vassar Street from 12:01 a.m. to 9:00 a.m. and 6:00 p.m. to 11:59 a.m. for delivery and erection of a tower crane.

Decision: Granted, with the condition that applicant must obtain a Sunday work permit from Cambridge Police Department.

22) Kyle Clayson, on behalf of Hallamore has applied for a special noise variance on October 13, 2018 from 7:00 a.m. to 9:00 a.m. at 1585 Massachusetts Avenue for a crane and trucks.

Decision: Granted.

23) Jeff Sacca, on behalf of JNJ Sacca, Inc. has applied for a special noise variance on October 15, 2018 from 1:00 a.m. to 7:00 a.m. at 1430 Massachusetts Avenue for trucks and heavy machinery.

Decision: Granted. No fee, because it is a City project.

24) Attorney Dean Papadopoulos has notified the License Commission that Gold Transport, Inc. is selling Medallion #07 to Oakwood Trans., Inc.

Decision: Board acknowledged.

25) Church Street Creole Café, Inc., d/b/a Border Café, 32 Church Street, holder of Common Victualler All Alcohol and Entertainment License #11780, is requesting to add 2 TV's to their license.

Decision: Granted.

26) Minutes from the hearings of August 15, 2018 and September 10, 2018.

Decision: Approved.

One Day License 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.

27) Paul McMenemy, on behalf of the Sinclair, has applied for a malt and wine license to be exercised at The Atrium, 50 Church Street, on 10/10/18 from 6:00 p.m. – 9:00 p.m. for a google corporate event. Expected attendance – 145 people. Applicant # 20935

Decision: Granted.

28) Paul McMenemy, on behalf of the Sinclair, has applied for a malt and wine license to be exercised at Church Street lot, Church Street, on 10/7/18 from 12noon – 6:00 p.m. for Harvard Square Oktoberfest. Expected attendance – 750 people. Applicant # 20936

Decision: Granted, with the conditions that: the area must be monitored at all times by managerial staff; and a police detail is required.

29) Bill Manley, on behalf of the Harvard Square Business Association, has applied for an entertainment license to be exercised at Winthrop Park, 89 Winthrop St, on 10/5/18 from 5:00 p.m. – 9:00 p.m. for a concert with patrons, performers/entertainers dancing, live music and amplification system. Expected attendance – 200 people. Applicant # 20916

Decision: Granted.

30) Baptiste Gregori, has applied for a malt and wine license to be exercised at Workbar, 45 Prospect Street, on 11/6/18 from 5:00 p.m. – 8:30 p.m. for a professional networking event and panel discussion. Expected attendance – 100 people. Applicant # 20888

Decision: Granted, with the condition that there must be a limited number of alcoholic drinks (3) associated with the admission charge; otherwise/thereafter, the alcohol must be sold.

31) Bill Manley, on behalf of the Harvard Square Business Association, has applied for an entertainment license to be exercised at streets of Harvard Square, on 10/7/18 from 12:00 p.m. – 6:00 p.m. for a street fair. Expected attendance – 75,000 people. [Approved by Special Events Committee] Applicant # 20602

Summary: With this application there was also an amusement application filed (although it may be a duplicate). The Board considered both.

Decision: Granted as to both, with the condition that a police detail is required.

32) Lianna Purcell, on behalf of the American Kidney Fund, has applied for a malt and wine with entertainment to be exercised at 245 First Street, on 10/11/18 from 5:00 p.m. – 9:00 p.m. for a fundraiser with amplification system. Expected attendance – 175 people. Applicant # 19998

Summary: Based on the number of hours of the event, the admission price, the event type, and age of expected number of persons, the number of alcoholic drinks associated with the admission price should be 4.

Decision: Granted, with the condition that there must be a limited number of alcoholic drinks (4) associated with the admission charge; otherwise/thereafter, the alcohol must be sold.

33) Anna Winestein, on behalf of Ballets Russes Arts Initiative, has applied for an entertainment license to be exercised at Longy School of Music 27 Garden Street, on 11/4/18 from 5:15 p.m. – 9:15 p.m. for a concert with live music. Expected attendance – 250 people. Applicant # 19585

Decision: Granted.

34) Kelly Houten, on behalf of Racewire, has applied for a malt with entertainment license to be exercised at 64 Sidney St (the greenspace), on 10/28/18 from 7:00 a.m. – 12:00 p.m. for a 5K fun run with DJ and amplification system. Expected attendance - 1000 people [Approved by Special Events Committee] Applicant # 18882

Decision: Granted, with the conditions that: (1) there must be a limited number of alcoholic drinks (2) associated with the registration fee, otherwise/thereafter, the alcohol must be sold; (2) no alcohol service prior to 8:00 a.m.; and (3) a police detail is required.

35) Amy Goodrich, has applied for a malt and wine with entertainment license to be exercised at DeWolfe Boathouse, 619 Memorial Drive, on 10/20/18 from 5:00 p.m. – 10:00 p.m. for a reunion with recorded music and amplification system. Expected attendance – 175 people Applicant # 17120

Decision: Granted, provided DCR/state trooper signs off; details will be required if requested by the state.

36) Anne Fowler, has applied for a malt and wine license to be exercised at Multicultural Arts Center, 41 Second Street, on 10/4/18 from 6:00 p.m. – 10:00 p.m. for a jazz concert. Expected attendance – 75 people. Applicant # 21627

Decision: Granted (only as to the alcohol – no one day entertainment as they already hold an entertainment license that covers the proposed entertainment).

37) Patrick Lee, on behalf of the Hourly Oyster House, has applied for a malt and wine license to be exercised in Harvard Square, on 10/7/18 from 12:00 p.m. – 6:00 p.m. for Oktoberfest. Expected attendance – 200 people. Applicant # 21474

Decision: Granted, with the conditions that: the area must be monitored at all times by managerial staff; and a police detail is required.

38) Scott Kendall, on behalf of Pemberton Farms, has applied for a malt with entertainment license to be exercised at 2225 Massachusetts Avenue, on 10/6/18 from 1:30 p.m. – 5:30 p.m. for a beer tasting with live music and amplification system. Expected attendance – 500 people. Applicant # 21460

Decision: Granted, with the condition that there must be a limited number of alcoholic drinks (3) associated with the admission charge; otherwise/thereafter the alcohol must be sold.

39) Jill Singer, has applied for a wine with entertainment license to be exercised at Cambridge Community Center, 5 Callender Street, on 10/14/18 from 9:00 a.m. – 6:00 p.m. for a wedding with patrons dancing, live music and amplification system. Expected attendance – 175 people. Applicant # 21448

Decision: Granted.

40) Jeff Marcoux, on behalf of Alexandria Real Estate Equities, Inc., has applied for an entertainment license to be exercised at Upper courtyard 1 Kendall Square, on 10/11/18 with rain date 10/18/18 from 4:00 p.m. – 8:00 p.m. for a tenant appreciation event with live music and amplification system. Expected attendance – 200 people. Applicant # 21401

Decision: Granted.

41) Michelle Carmichael, has applied for an entertainment license to be exercised at MIT, 48 Massachusetts Avenue, on 10/7/18 from 2:00 p.m. – 9:00 p.m. for a live performance by MITHAS with live music. Expected attendance – 150 people. Applicant # 21517

Decision: Granted, with amended hours of 4:00 p.m. to 9:00 p.m. in accordance with the MIT registration form.

42) Matt Smith, on behalf of Club Passim, has applied for an entertainment license to be exercised at 47 Palmer Street (alley), on 10/27/18 & 10/28/18 from 12noon – 11:00 p.m. for a lamplighter event with recorded music and amplification system. Expected attendance – 200 people. Applicant # 21654

Summary: There is a note by a staff member that the applicant requested a fee waiver. The applicant was asked to submit something in writing regarding the reason(s) for which the waiver was requested and should be granted. The applicant did not submit anything.

Decision: Granted, with the condition that a police detail is required. Fee waiver request denied.

43) Jaap Overgaag, on behalf of Charlies Kitchen, has applied for a malt and wine license to be exercised at 10 Eliot Street, on 10/7/18 from 12 noon – 6:00 p.m. for Harvard Square Oktoberfest. Expected attendance – 150 people. Applicant # 21716

Decision: Granted, with the conditions that: the area must be monitored at all times by managerial staff; and a police detail is required.

44) Thomas Saidnaway, on behalf of Pemberton Farms, has applied for a malt and wine license to be exercised at 2225 Massachusetts Avenue, on 10/5/18 from 6:00 p.m. – 9:00 p.m. for a banquet. Expected attendance – 60 people. Applicant # 21996

Decision: Granted.

45) John Schall, has applied for a malt and wine license to be exercised at corner of JFK and Mt. Auburn Street, on 10/7/18 with rain date 10/14/18 from 12noon – 6:00 p.m. for Oktoberfest. Expected attendance – 400 people. Applicant # 21831

Decision: Granted, with the conditions that: the area must be monitored at all times by managerial staff; and a police detail is required.

46) Kailey Fitzgerald, on behalf of Harvard Alumni Association, has applied for an all alcohol with entertainment license to be exercised at Northwest Labs building, 52 Oxford Street, on 10/13/18 from 3:00 p.m. – 11:30 p.m. for a Harvard class of 1983 45th reunion dinner dance with patrons, performers/entertainers dancing, DJ, live music and amplification system. Expected attendance – 400 people. Applicant # 22036

Decision: Granted, with the condition that a police detail is required.

47) Christine DiCarlo, has applied for a malt and wine with entertainment license to be exercised at the atrium at 100 Technology Square, on 10/17/18 from 4:00 p.m. – 8:30 p.m. for a food festival with DJ and amplification system. Expected attendance – 500 people Applicant # 20617

Summary: Based on the duration of the event, type of event, ages of expected attendees and admission price, the number of drinks associated with the admission price should be 4.

Decision: Granted, with amended hours of 5:30 p.m. – 8:00 p.m. per permission letter, and with the condition that there must be a limited number of alcoholic drinks (4) associated with the admission charge; otherwise/thereafter, the alcohol must be sold.

48) Diane Marangoly, on behalf of Cambridge Friends School, has applied for an entertainment license to be exercised at 5 Cadbury Road, on 10/21/18 from 7:00 a.m. – 1:00 p.m. for a fundraiser with recorded/live music, DJ and amplification system. Expected attendance – 200 people Applicant # 20743

Decision: Granted.

49) Ed O'Connor, has applied for a malt with entertainment license to be exercised at Cambridgeside parking garage (roof deck), 100 Cambridgeside Place, on 10/7/18 from 9:00 a.m. – 1:00 p.m. for a road race with patrons dancing, recorded music, DJ and amplification system. Expected attendance – 3000 people Applicant # 20829

Decision: Granted, with the conditions that: there must be a limited number of alcoholic drinks (3) associated with the registration price, thereafter/otherwise alcohol must be sold; and a police detail is required.

50) Deanna Bucciarelli, on behalf of the National Kidney Foundation, has applied for an entertainment license to be exercised at North Point Park, 1 North Point Blvd, on 10/14/18 from 7:00 a.m. – 1:30 p.m. for a fundraiser walk with recorded music, DJ and amplification system. Expected attendance – 2000 people Applicant # 21467 [Approved by Special Events Committee]

Decision: Granted, with the condition that a police detail is required.

51) Robert Hodgson, on behalf of Draper, has applied for an entertainment license to be exercised at Draper Atrium, 555 Technology Square, on 10/4/18 (6:00 p.m. – 9:00 p.m.) & 10/6/18 10:00 a.m. – 4:00 p.m. for a recruiting night and family day event with amplification system. Expected attendance – 700 people. Applicant # 21692

Decision: Granted.

Administrative/One-Day Items Added to Agenda After Posting on 9/28/18

52) Kristine Jelstrup, on behalf of the Amigos School, has applied for a one-day hawker/peddler license on October 20 and 22, 2018 at 101 Dunster Street from 8:00 a.m. to 5:00 p.m.

Decision: Considered and granted when heard in combination with matter # 20.

53) Amanda Henley, on behalf of the Harvard Square Business Association, has applied for 60 hawker/peddler licenses for Oktoberfest on October 7, 2018 from 12:00 p.m. until 6:00 p.m.

Summary: Also considered the amusement application for the railroad which was filed in conjunction with this application. Both were considered by the Board. This railroad application may be a duplicate of the one considered with item # 31. If that is the case, the staff should make sure only one is processed so that the applicants are not double billed.

Decision: Granted as to both.

54) Richard Canbriello, on behalf of Daddy's Bonetown Burgers, has applied for a one-day hawker/peddler license on October 11, 2018 from 11:00 a.m. to 2:00 p.m. at MIT, 11 Audrey Street.

Decision: Granted.

55) Jen Fields, on behalf of Alden & Harlow, has applied for a malt and wine license to be exercised in Harvard Square, on 10/7/18 from 12:00 p.m. – 6:00 p.m. for Oktoberfest. Expected attendance – 200 people. Applicant # 21235

Decision: Granted, with the conditions that: the area must be monitored at all times by managerial staff; and a police detail is required.

56) Kyle Clayson, on behalf of Hallamore, has applied for a special noise variance on Saturday, October 6, 2018 from 7:00 a.m. to 9:00 a.m. at 360-384 Binney Street for 2 60-ton cranes and a tractor trailer.

Decision: Granted.

57) Emil Giordano, on behalf of Turner Construction, has applied for a special noise variance from October 15, 2018 to December 15, 2018 from 5:00 p.m. to 1:00 a.m. at 290 Main Street for an electric crane tower and electric outside hoist.

Summary: Christos Maravelias appeared on behalf of MIT. He explained that this is meant to run for one week during the period listed in the application. The intent is to show the abutters the impact the work will have in the area. This is in the hopes to gain the abutters support for a long-term variance which would be filed after January 1, 2019. This is a test run.

Decision: Granted, for one week (Monday-Friday), only during the specified time period and with hours of 6:00 p.m. – 12:00 a.m.

58) Steve Leighton, on behalf of John Moriarty & Sons, is requesting that the special noise variance granted on September 12, 2018 be extended through November 16, 2018.

Decision: Granted 3-0 in accordance with Board vote of 9/12/18 and the conditions that: (1) all deliveries of precast materials must be completed by 7:00PM; installation of panels to end at 11:00PM; and (2) variance is only as to delivery and installation of panels for the tower building; variance does not allow work past 6:00PM on wood structures along Columbia Street.

59) Rob Kimball, on behalf of Onyx Corporation, has applied for a special noise variance on October 4 or 5 from 6:00 a.m. to 7:00 a.m. and 6:00 p.m. to 7:00 p.m. on Pearl Street from Mass. Ave. to Granite St. for back up alarms, truck and machine work for road paving.

Decision: Granted.

Late Additions to Agenda

60) Dylan Stanford, on behalf of New Wave Communications, has applied for a special noise variance from October 15, 2018 through October 18, 2018 from 8:00 p.m. to 6:00 a.m. for fiber optic splicing with idling vehicles.

Decision: Granted, provided the application and permit fees are paid.

61) Jeff Sacca, on behalf of JNJ Sacca, Inc., has applied for an extension to their special noise variance for October 6 and October 10, 2018 from 7:00 a.m. to 9:00 a.m.

Decision: Granted, no fee because it is a City project.

62) Edward Breed, on behalf of Skanska USA, has applied for a special noise variance from October 4 through October 11, 2018 at 20 Essex Street, for an excavator, backhoe, air compressor, dump truck demo saw, chipping gun and pneumatic drill.

Summary: This is only needed for one day during this period. After submission, applicant specified it would only be needed for 10/5-10/6.

Decision: Granted for 10/5-10/6 only, 7:00 p.m. – 9:00 a.m.; no fee because it is a City project.

63) John Beresford, on behalf of Pandemonium Books and Games, has applied for a one-day wine license at 4 Pleasant Street on October 11, 2018 from 7:00 p.m. until 9:30 p.m. with 24 people expected.

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

64) Christine Aufiero, on behalf of Sacred Heart of Jesus Paris, has applied for a one day Wine & Malt and entertainment license on October 13, 2018 from 6:00 p.m. to 11:00 p.m. at 49 Sixth Street, for a fundraiser with 125 expected.

Decision: Granted as applied, provided the letter of permission is submitted and does not present any contradictory information.

65) Diana Munn, on behalf of the Harvard Museums of Science and Culture, has applied for a one-day wine & malt license on October 9, 2018 from 7:00 p.m. to 9:00 p.m. at 6 Divinity Avenue, with 200 expected.

Decision: Granted.

66) Bill Manley, on behalf of the Harvard Square Business Association, has applied for a one-day entertainment license on October 16, 2018 for om 8:00 a.m. to 8:00 p.m. at Deguglielmo Plaza, for a concert, with 200 expected.

Decision: Granted as applied, provided the City permit is submitted and does not present any contradictory information.

67) Alexandra Photopoulos, on behalf of Gallery 263, Inc., has applied for a one day all alcohol license on October 19, 2018 from 6:00 p.m. until 11:00 p.m. for a banquet fundraiser with 50 expected.

Decision: Granted as applied, provided the letter of permission/permit does not present contradictory information, and with the condition that there must be a limited number (4) of alcoholic drinks associated with the admission charge; otherwise/thereafter the alcohol must be sold.

68) Sam Estridge, d/b/a RealDeal, has applied for a one-day hawker/peddler license on October 6, 2018 from 11:00 a.m. until 5:00 p.m. at 45 Quincy Street.

Decision: Granted.

69) Crista Martin, on behalf of Harvard University, has applied for a one day hawker/peddler license on October 6, 2018 from 10:00 a.m. until 5:00 p.m. at 45 Quincy Street.

Decision: Granted.

Board's Approval of Minutes:

NMF

GEM

BGB



Date Minutes Approved: _____

Date Approved Minutes Were Posted: _____

OCT 24 2018

OCT 24 2018