



# **CAMBRIDGE LICENSE COMMISSION**

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

## **MEETING MINUTES**

**Board of License Commissioner's Meeting  
Wednesday, December 12, 2018 at 2:00 p.m.**

**Michael J. Lombardi Building, 831 Massachusetts Avenue  
Carmelia M. Vicente Conference Room (Basement Level)  
Cambridge, MA 02139**

**Meeting Started at 2:03 p.m.**

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

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

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

## **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.*

1) Ratify Statement of Reasons issued to Coffeeshop, LLC d/b/a UpperWest, 1 Cedar Street B, holder of General On Premise All Alcohol License #11587 and Common Victualler License #13296, on November 20, 2018, for violations of: Failure to comply with the Massachusetts Comprehensive Fire Safety Code, § 20.1.5.2.4(2); G. L. c. 148, § 28, G. L. c. 138, §§ 23 and 64, and Board's Rules 2.2-2.3, 2.5-2.6, 5.1-5.2, and 13.1; Failure and/or refusal to cooperate with agents of the Fire Department, and/or hindering an investigation, and/or the enforcement of the law, in violation of G. L. c. 138, § 23, 63-63 A and 64, and Board's Rules 2.2-2.3, 2.5-2.6, 5.1-5.2, 13.1, 13.3, and 13.5; Threatening/intimidating a witness, to wit, public official(s), in violation of G. L. c. 268, § 13 B, G. L. c. 138, §§ 23 and 64, and Board's Rules 2.3, 2.5, 5.1-5.2, 13.1, 13.3 and 13.5; Threatening public official(s), in violation of G. L. c. 275, §§ 2-4, G. L. c. 138, §§ 23 and 64, and Board's Rules 2.3, 2.5, 5.1-5.2, 13.1, 13.3 and 13.5.

**Summary:** Matter placed on the agenda due to current open meeting law complaint. Regardless, there may not be a need for action/ratification as all deliberations and votes regarding the violations found and the discipline issued were done during the open meeting of 11/7/18 when the matter was considered. The Statement of Reasons issued on 11/20/18 accurately represents the deliberations and votes. The members had an opportunity to further discuss or modify but did not.

**Decision:** Board ratified Statement of Reasons issued on 11/20/18 and confirmed it represented the Board's deliberations and votes as discussed and found on 11/7/18 during the open meeting.

2) Coffeeshop, LLC d/b/a, UpperWest, holder of General on Premise All Alcohol License # 11587 and Common Victualler with Entertainment License #13296 at 1 Cedar Street B, correspondence regarding the "automatic stay" of the suspension issued by Board vote on November 7, 2018 due to the filing of an appeal with the ABCC.

**Summary:** The Board considered email correspondence as a request to stay the suspension imposed pending the resolution of the appeal filed with the ABCC. The Board placed on the record that these types of stays are not automatic and have been denied by the Board in the past. The Board considered the date of the ABCC's appeal hearing, the remaining days for further appeal of the Fire Appeals Board's denial of the licensee's appeal, and the date of the Board's next hearing.

**Decision:** Stay granted pending resolution of ABCC appeal.

#### **Executive Session**

By roll call vote, the Board went into Executive Session to discuss:

The License Commission will go into Executive Session for purposes of discussing strategy concerning responding to an Open Meeting Law Complaint filed by Kimberly S. Courtney and Xavier J. Dietrich regarding the Cambridge License Commission's November 20, 2018 Statement of Reasons issued to Coffeeshop, LLC d/b/a UpperWest, License # 11587.

The License Commission will go into Executive Session for purposes of discussing litigation strategy with respect to an appeal known as "Appeal of the Action of the City of Cambridge Licensing Board [sic] for Suspending the § 12 All-Alcohol License of Winding Road LLC D/B/A Abigail's Located at 219 Third St., Cambridge, MA for Five (5) Days."

By roll call vote, the Board voted to close the executive session.

#### **Administrative Matters (continued):**

*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.*

3) Cheese Pizza, LLC d/b/a Roxy's A4cade, holder of Common Victualler All Alcohol and Entertainment License #11555, has applied for a change to their existing license to remove foosball, pool table and shuffleboard, and to add 8 games.

**Decision:** Granted.

4) President and Fellows of Harvard College d/b/a The Pub, holder of Common Victualler All Alcohol and Entertainment License #11450-2, has applied for a change to their existing license to add trivia.

**Decision:** Granted.

5) Diamonds Restaurant Group, d/b/a Pizza Bar, holder of a Common Victualler Wine & Malt license # 11453 at 1238 Cambridge Street, has applied to change their d/b/a to All Star Pizza Bar. (application #24511).

**Decision:** Granted.

6) President and Fellows of Harvard College d/b/a Harvard Faculty Club, holder of Common Victualler All Alcohol License #11633 (application #25851) has applied to add dancing by patrons and DJ to their license.

**Decision:** Granted.

7) Attorney Demetrio Andreadis has notified the License Commission that a secured party auction was conducted on November 15, 2018 involving several Cambridge Taxi Medallions. There were no bids for any of the medallions.

**Decision:** Board acknowledged.

8) John Schall has notified the License Commission that he will not be renewing license #11362 for Fire and Ice.

**Summary:** Clarification made for the record that this is an alcohol license.

**Decision:** Acknowledged/license cancelled, file closed.

9) Lowhill, Inc. d/b/a Joe Sent Me, holder of Common Victualler All Alcohol License #11389 at 2388 Massachusetts Avenue, has applied for a change of opening hour Monday-Wednesday from 12:00 p.m. to 11:30 a.m.

**Decision:** Granted pending submission of the ABCC application, corporate vote, and fees (\$125).

10) City Girl Gourmet, Inc. d/b/a City Girl Caffe, holder of Common Victualler Alcohol and Entertainment License #11250 at 204 Hampshire Street, has applied to change their opening hour on Sundays from 11:00 a.m. to 10:00 a.m.

**Decision:** Granted pending submission of the ABCC application, corporate vote, and fees (\$125).

11) Wheelings Brattle, LLC d/b/a Beat Brew Hall, Holder of Common Victualler Alcohol and Entertainment License #11480 at 13 Brattle Street, has applied to add two T.V.'s and shuffle board and to remove reading of poetry from their license. They are also requesting an extension of hours on New Year's Eve from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted for annual changes to entertainment license; also granted NYE extension for food, alcohol and entertainment from 1 a.m. to 2 a.m.

12) Abbey Cambridge, LLC d/b/a The Abbey, holder of Common Victualler Alcohol and Entertainment License #11501 at 1755 Massachusetts Ave., is requesting to change their Saturday and Sunday opening hour from 11:00 a.m. to 10:00 a.m.

**Decision:** Granted pending submission of the ABCC application, corporate vote, and fees (\$125).

13) 450 Kendall Hospitality, Inc. d/b/a Glass House, holder of Common Victualler Alcohol and Entertainment License #11553 at 450 Kendall Street, has applied to add 4 T.V.'s and trivia to their license.

**Decision:** Granted.

14) Life Alive Acquisition, LLC, holder of Common Victualler and Entertainment license #12288, is requesting to change their name to Life Alive Café, LLC, Change of Manager from Hema Narayan to Steve Speyer, live/acoustical music from with amplification to without amplification, entertainment hours to special events and change in hours from Monday through Saturday 8:00 a.m. to 11:00 p.m. to 8:00 a.m. to 10:00 p.m., and Sunday from 8:00 a.m. to 11:00 p.m. to 10:00 a.m. to 9:00 p.m.

**Decision:** Granted.

15) Roxtar Foods Limited d/b/a Pammy's, holder of Common Victualler All Alcohol License #11562 at 924-928 Massachusetts Ave., is requesting to change their opening hour from 5:00 p.m. to 4:30 p.m. all days, and to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

16) Coffee Co., LLC d/b/a Intrepid Café, holder of Common Victualler Alcohol and Entertainment License #12328 at 150 First Street, is requesting to amend their Saturday hours from closed to 7:00 a.m. to 10:00 p.m. (food and entertainment only) 8:00 a.m. to 10:00 p.m. (alcohol) and to correct the administrative record to reflect the manager's name as Mae Deluca.

**Summary:** Change of manager is an administrative correction. Mae Deluca was previously approved to be the manager of record by both the Board of License Commissioners and the ABCC, and she is properly listed as such with the ABCC.

**Decision:** Granted alcohol Saturday hours 8 a.m.-10 p.m., food and entertainment 7 a.m.-10 p.m.

17) Nookie LLC, d/b/a Commonwealth Restaurant, holder of Common Victualler All Alcohol license #11889 at 11 Broad Canal Way, is requesting to change their opening hours for food and Entertainment hours only Monday through Friday from 11:00 a.m. to 7:30 a.m. and Saturday and Sunday from 9:30 a.m. to 10:00 a.m. (application #27979).

**Summary:** The request is limited to the food and entertainment operating hours. The alcohol operating hours remain as is.

**Decision:** Granted.

18) Golden Toad, Inc. d/b/a Christopher's, holder of Common Victualler Alcohol and Entertainment License #11683 at 1912-1920 Massachusetts Ave., is requesting to change opening hour on Sunday from 11:00 a.m. to 10:30 a.m.

**Decision:** Granted.

**[Same ownership submitted after the filing of the agenda but prior to the hearing]** Flying Toad, Inc. d/b/a Cambridge Common, holder of Common Victualler Alcohol and Entertainment License #11696, is requesting to change opening hour on Sunday from 11:00 a.m. to 10:30 a.m.

**Decision:** Granted.

19) Compass Group USA, LLC d/b/a Bon Appetit Management Co., holder of Common Victualler License #12198 at 29 Everett Street (Washburn Hall), is requesting to extend their closing hours Monday through Thursday to 8:00 p.m. and to open Saturday and Sunday from 10:00 a.m. to 3:00 p.m.

**Decision:** Granted.

20) Bowery Cambridge, LLC d/b/a The Sinclair, holder of Entertainment License #11172, is requesting to change their Friday opening hour from 4:00 p.m. to 11:00 a.m.

**Decision:** Granted.

21) Facility Concession Services d/b/a The Sinclair, holder of Common Victualler Alcohol License #11598, is requesting to change their Friday hours to open at 11:00 a.m. They currently open at 12:00 p.m. They have also applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted annual change; New Year's Eve extension granted for food and alcohol, denied as to entertainment as that license is held by different licensee (and that extension is not needed as the entertainment license has a condition that the closing hour before a holiday is 2 a.m.).

22) Jim Hogan, on behalf of Turner Construction has applied for a special noise variance on Saturday December 16, 2018 from 7:00 a.m. to 9:00 a.m. and Sunday from 9:00 a.m. to 6:00 p.m. at 314 Main Street for crane work and truck loading. (application #27686).

**Decision:** Granted, with the condition that a Sunday work permit from Cambridge Police Department is required.

23) Assoc. of Sigma Tau Alumni of Delta Kappa Epsilon, Inc. d/b/a Delta Kappa Epsilon, holder of Innholder License #10743 at 403 Memorial Drive, has changed their manager from Philip Ebben to Justin Wallace.

**Decision:** Granted.

24) Concord Avenue Café, holder of Common Victualler License #12370 at 294 Concord Avenue, has changed their manager from Richard Yang to Wani Yang.

**Decision:** Granted.

25) Bailey & Sage, holder of Common Victualler Alcohol License #11528 at 5 Cambridge Center, has notified the License Commission that they do not intend to renew their alcohol license.

**Decision:** Acknowledged; licensee filed a renewal only for the common victualler and entertainment license. Alcohol license cancelled, and alcohol file converted to common victualler & entertainment file only.

26) Priscila Trancoso, on behalf of Bom Café, holder of Common Victualler Entertainment license #13215 at 1093 Cambridge Street, is changing their d/b/a to M'Lor Caffé. (application #28569).

**Decision:** Granted.

27) Hackett Feinberg, PC, on behalf of Radius Bank as secured lender, is requesting to take possession of medallions 116, 144 and 213, pursuant to their notice of default.

**Summary:** The License Commission has never given possession of medallions to secured lenders.

**Decision:** Matter referred to the City Solicitor for a legal opinion.

28) Winding Road, LLC d/b/a Abigail's, holder of Common Victualler Alcohol License #11437 at 291 Third Street, has notified the License Commission that they have withdrawn their ABCC appeal.

**Decision:** Board Acknowledged; suspension will be served December 22 & 23 and December 27 through December 29, 2018.

29) Charlie Moore, on behalf of Turner Construction, has applied for a special noise variance from January 2, 2019 through March 2, 2019, 6:00 p.m. until 11:00 p.m. weekdays, Saturdays and periodic Sundays, at 145 Broadway, for soil removal during the day and deliveries at night. (application #28711).

**Decision:** Granted 6 p.m.-11 p.m. Monday-Saturday and periodic Sundays with the following conditions: (1) must give a 1-week prior notification to use on Sunday; and (2) must provide Sunday work permit from Cambridge Police Department.

30) Frank Kelly, on behalf of Turner Construction, has applied for a special noise variance from January 2, 2019 through March 2, 2019, from 6:00 a.m. to 9:00 a.m. weekdays, Saturdays and periodic Sundays, at 145 Broadway, for soil removal during the day and deliveries at night. (application #28591).

**Decision:** Granted 6 a.m.-7 a.m. Monday-Friday and 7 a.m.-9 a.m. Saturday and Sunday with the following conditions: (1) use of variance on Sundays is allowed periodically only and must provide 1-week prior notification to use on Sunday; and (2) must provide Sunday work permit from Cambridge Police Department.

31) Cakewalk Bakers, LLC d/b/a Flour Bakery & Café at 190 Massachusetts Avenue, holder of Common Victualler License #12203, has changed their opening hour from 7:00 a.m. to 6:30 a.m.

**Decision:** Granted.

32) M&R Hospitality Group, Inc. d/b/a Pita, holder of Common Victualler Alcohol and Entertainment License #13150 at 12 Springfield Street has changed their corporate name to Pita Cambridge, Inc.

**Decision:** Granted.

33) Ahmad Nur, on behalf of John Moriarty & Assoc. has applied for a special noise variance on December 16, 2018 from 7:00 a.m. to 9:00 a.m. at 20 Acorn Park Drive for truck engines and assembling steel parts.

**Summary:** This is for a crane set-up.

**Decision:** Granted with the following conditions: (1) Sunday work permit from Cambridge Police Department is required; and (2) Department of Public Works permit is also required.

34) Minutes of October 24, 2018 and November 7, 2018

**Decision:** Approved.

#### **[Renewal Matters]**

35) McCabe's Porter, LLC, d/b/a McCabe's Bar and Grill, holder of Common Victualler All Alcohol and Entertainment License #11498, 2046 Massachusetts Avenue, has applied to extend their [alcohol] closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m. They have also applied to add 5 TV's and 2 pinball machines.

**Decision:** Granted as to NYE extension of hours and also to changes to the annual entertainment license.

36) La Fabrica Central, LLC, holder of Common Victualler All Alcohol and Entertainment License #11593, 450 Massachusetts Avenue, has applied to extend their food and entertainment hours on New Year's Eve from 2:00 a.m. to 3:00 a.m.

**Decision:** Granted.

37) Altruista, LLC d/b/a Dante, holder of Common Victualler All Alcohol and Entertainment License #11665, 40 Edwin Land Blvd, has applied to extend their closing hour [for food alcohol and entertainment] on New Year's Eve from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

38) Science Partners, Inc. d/b/a Miracle of Science Bar and Grill, holder of Common Victualler All Alcohol and Entertainment License #11391, 321 Massachusetts Avenue, has applied to extend their closing hour on New Year's Eve for alcohol from 1:00 a.m. to 2:00 a.m. and for food and entertainment until 3:00 a.m.

**Decision:** Granted.

39) MSEX, LLC d/b/a Middlesex Lounge, holder of Common Victualler All Alcohol and Entertainment License #11535, 315 Massachusetts Avenue, has applied to extend their closing hour on New Year's Eve for alcohol from 1:00 a.m. to 2:00 a.m. and for food and entertainment until 3:00 a.m.

**Decision:** Granted.

40) Flat Top Johnny's, Inc., holder of Common Victualler All Alcohol and Entertainment License #11328, One Kendall Square #200, has applied to extend their [alcohol, food and entertainment] closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

41) Bondir Restaurant, Inc. holder of Common Victualler All Alcohol and Entertainment License #11426, 279A Broadway, has applied to extend their closing hour for alcohol and entertainment on New Year's Eve from 12:30 a.m. to 1:00 a.m. and their food closing hour to 12:00 a.m.

**Summary:** Their current Monday closing hour is 12:30 a.m., therefore, the extension sought for food closing hour is unnecessary. Request considered only as to the extension of alcohol and entertainment from 12:30 a.m. to 1:00 a.m.

**Decision:** Granted.

42) Filarmonica San Antonio, Inc. holder of Club License #11629, 575 Cambridge Street, has applied to extend their closing hour for alcohol and entertainment on New Year's Eve from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.



43) Luna Azteca Mexican Restaurant, d/b/a Jose's, holder of Common Victualler All Alcohol and Entertainment License #11689, 131 Sherman Street, has applied to extend their closing hour for alcohol from 1:00 a.m. to 2:00 a.m. and entertainment from 1:00 a.m. to 3:00 a.m. on New Year's Eve.

**Decision:** Granted.

44) Sulmona Restaurant Group, LLC d/b/a Sulmona restaurant, holder of Common Victualler All Alcohol and Entertainment License #11572, 608 Main Street, has applied to extend their closing hour from 1:00 a.m. to 2:00 a.m. on New Year's Eve.

**Decision:** Granted.

45) Highgate Hotels, LP d/b/a Courtyard Boston Cambridge, holder of Innholder License #10744 at 777 Memorial Drive, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m. for alcohol and entertainment.

**Decision:** Granted.

46) Brilliant Foods, LLC d/b/a Summer Shack holder of Common Victualler All Alcohol and Entertainment License #11651 at 149 Alewife Brook Parkway, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

47) Chazumba, LLC d/b/a Felipe's Taqueria, holder of Common Victualler All Alcohol and Entertainment License #11516, 21 Brattle Street, has applied to extend their closing hour for alcohol from 1:00 a.m. to 2:00 a.m. and food and entertainment from 2:00 a.m. to 3:00 a.m. on New Year's Eve.

**Decision:** Granted.

48) Misrak Ghandi on behalf of Sheger Café and Ethiopian Restaurant, holder of Common Victualler Malt and Wine and Entertainment License #12333 at 2376 Massachusetts Avenue, has applied to extend their closing hour on New Year's Eve from 10:00 p.m. to 11:00 p.m.

**Summary:** After posting of the agenda and prior to the hearing, the applicant amended their application to seek an extension of food, alcohol and entertainment hours from 10:00 p.m. to 12:00 a.m. The Board only allows for a maximum one-hour extension of the alcohol closing hour and a maximum two-hour extension of the food and entertainment closing hours.

**Decision:** Denied as applied/amended; granted for alcohol service until 11:00 a.m., and 12:00 a.m. for food and entertainment.

49) Belly to Bones, Inc. d/b/a Talulla, holder of Common Victualler All Alcohol and Entertainment License #13678 at 377 Walden Street, has applied to extend their closing hour on New Year's Eve from 10:00 p.m. to 11:59 p.m. They are also requesting to change their operating hours on Sundays from 5:30 p.m. – 10 p.m. to 10:30 a.m. – 10:00 p.m.

**Summary:** The Board only allows for a maximum one-hour extension of the alcohol closing hour and a maximum two-hour extension of the food and entertainment closing hours. The establishment is generally closed on Mondays, so the Board used the Tuesday closing hour (10 p.m.) as guidance.

**Decision:** New Year's Eve extension denied as applied; granted food and entertainment until 12:00 a.m. and alcohol until 11:00 p.m. No vote taken on the request to change the annual closing hour.

50) Turnip, LLC d/b/a Parsnip, holder of Common Victualler All Alcohol and Entertainment License #11507 at 91 Winthrop Street, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 1:30 a.m. for alcohol service and from 1:00 a.m. to 2:00 a.m. for food and entertainment.

**Decision:** Granted.

51) Boston BBQ Company, LLC d/b/a Smoke Shop, holder of Common Victualler All Alcohol and Entertainment License #11537 at 1 Kendall Sq., #100, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m. for alcohol service and from 1:00 a.m. to 1:30 a.m. for entertainment.

**Decision:** Granted; if licensee wants an extension as to the entertainment until 2:00 a.m., it is granted.

52) J.H. Restaurant Cambridge, LLC d/b/a John Harvard's Brew House, holder of Common Victualler All Alcohol and Entertainment License #11649 at 33 Dunster Street, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m. for alcohol service and from 1:00 a.m. to 4:00 a.m. for food and entertainment.

**Summary:** The Board only allows for a maximum one-hour extension of the alcohol closing hour and a maximum two-hour extension of the food and entertainment closing hours.

**Decision:** Granted as applied for alcohol closing hour. Denied as applied for food and entertainment, granted until 3:00 a.m.

53) Sumiao Xiang Restaurant, LLC d/b/a Sumiao Hunan Kitchen, holder of Common Victualler All Alcohol and Entertainment License #11578 at 270 Third Street, has applied to extend their closing hour on New Year's Eve from 12:00 a.m. to 2:00 a.m. for food and alcohol and entertainment.

**Summary:** The Board only allows for a maximum one-hour extension of the alcohol closing hour and a maximum two-hour extension of the food and entertainment closing hours.

**Decision:** Denied as applied; granted alcohol closing hour of 1:00 a.m., food and (non-live) entertainment closing hour of 2:00 a.m., and live entertainment closing hour of 12 a.m..

54) Winding Road, LLC d/b/a Abigail's, holder of Common Victualler All Alcohol License #11437 at 291 Third Street, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

55) 47 Palmer, Inc. d/b/a Passim Folk Music and Culture Center, holder of Common Victualler Alcohol License #11285 at 26 Church Street, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

56) Improvisation Center of Boston, Inc. d/b/a ImprovBoston, holder of Common Victualler Alcohol and Entertainment License # 11264 at 40 Prospect Street, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

57) Atwood's Corner, LLC d/b/a Atwood's Tavern, holder of Common Victualler Alcohol and Entertainment License #11361 at 877 Cambridge Street, has applied to extend their closing hour on New Year's Eve for alcohol and entertainment from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

58) The Greek American Political Club, holder of Common Victualler Alcohol and Entertainment License #11682 at 288 Green Street, has applied to extend their closing hour on New Year's Eve for alcohol from 1:00 a.m. to 2:00 a.m. and for food and entertainment from 1:00 a.m. to 3:00 a.m.

**Decision:** Granted.

59) Goden Street, Inc. d/b/a The Rising, holder of Common Victualler Alcohol and Entertainment License #11554 at 1172 Cambridge Street, has applied to extend their closing hour on New Year's Eve for alcohol from 1:00 a.m. to 2:00 a.m. and for food and entertainment from 1:00 a.m. to 3:00 a.m.

**Decision:** Granted.

60) Deanta Corporation, Inc., d/b/a Phoenix Landing, holder of Common Victualler Alcohol and Entertainment License #11656 at 512 Massachusetts Avenue, has applied to extend their closing hour on New Year's Eve for food from 2:00 a.m. to 3:00 a.m. and entertainment from 2:00 a.m. to 4:00 a.m.

**Decision:** Granted.

61) Hank, Inc. d/b/a Bukowski Tavern, holder of Common Victualler Alcohol and Entertainment License # 11664 at 1279 Cambridge Street, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m. for alcohol and entertainment and from 1:00 a.m. to 1:30 a.m. for food.

**Decision:** Granted.

62) Dante Alighieri Society of Mass, Inc., holder of Club License #11626 at 41 Hampshire Street, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m. for alcohol.

**Decision:** Granted; if the licensee also wants an extension of the entertainment closing hour to 2:00 a.m., it is granted.

63) HK Food Group 1030, LLC d/b/a Waypoint, holder of Common Victualler Alcohol and Entertainment License #11547 at 1030 Massachusetts Ave., has applied to extend their closing hour for alcohol and entertainment from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

64) Sunset Café Restaurant, Inc. d/b/a Sunset Café, holder of Common Victualler Alcohol and Entertainment License #11608 at 851 Cambridge Street, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 1:30 a.m. for alcohol and entertainment and from 1:00 a.m. to 2:00 a.m. for food.

**Decision:** Granted.

65) Cuchi Cuchi, LTD d/b/a Cuchi Cuchi, holder of Common Victualler Alcohol and Entertainment License #11369 at 795 Main Street, has applied to extend their closing hour on New Year's Eve to 12:00 a.m. for food and from 1:00 a.m. to 2:00 a.m. for alcohol and entertainment.

**Summary:** The request is only for an extension of the alcohol and entertainment closing hours from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

66) Gillypad, LLC d/b/a Lily Pad, holder of General on Premise and Entertainment License 11464 at 1353 Cambridge Street, has applied to extend their closing hour on New Year's Eve from 1:00 a.m. to 2:00 a.m. for alcohol and from 1:00 a.m. to 3:00 a.m. for entertainment.

**Decision:** Granted.

67) American Repertory Theatre Company, Inc. d/b/a Oberon, holder of General on Premise and Entertainment License #11367 at 2 Arrow Street, has applied to extend their closing hour on New Year's Eve for alcohol from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

68) Grendel's Den, Inc. d/b/a Gendel's Den, holder of Common Victualler Alcohol and Entertainment License #11382 at 89 Winthrop Street, has applied to extend their closing hour on New Year's Eve for alcohol from 1:00 a.m. to 2:00 a.m. and from 1:00 a.m. to 3:00 a.m. for entertainment.

**Decision:** Granted.

69) Cambridge Cuisine, LLC d/b/a Puritan & Company, holder of Common Victualler Alcohol and Entertainment License #11463 at 1166 Cambridge Street, has applied to extend their closing hour on New Year's Eve for alcohol from 11:00 p.m. to 12:00 a.m. and from 11:00 p.m. to 1:00 a.m. for entertainment.

**Summary:** The request submitted was seeking an extension of closing hour for food from 11:00 p.m. to 12:00 a.m., and an extension of closing hour for alcohol and entertainment from 11:00 p.m. to 2:00 a.m. The Board only allows for a maximum one-hour extension of the alcohol closing hour and a maximum two-hour extension of the food and entertainment closing hours.

**Decision:** Denied as applied; granted extension until 12:00 a.m. for alcohol, and 1:00 a.m. for food and entertainment.

70) 0912, LLC d/b/a Forage, holder of Common Victualler Alcohol and Entertainment License #11566 at 5 Craigie Circle, has applied to extend their closing hour on New Year's Eve for alcohol and entertainment from 1:00 a.m. to 2:00 a.m.

**Decision:** No action, this was considered and granted on November 7, 2018.

71) Lamplighter Brewing Co., LLC d/b/a Lamplighter Brewing, holder of Common Victualler Alcohol and Entertainment License #11567 at 284 Broadway, has applied to extend their closing hour on New Year's Eve for food, alcohol and entertainment from 1:00 a.m. to 2:00 a.m.

**Decision:** No action, this was considered and granted on November 7, 2018.

72) Orange Blossom, Inc. d/b/a Highland fried, holder of Common Victualler All Alcohol License #11573 at 1271 Cambridge Street, for alcohol and entertainment from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

73) Momi & Company, LLC d/b/a Momi Nonmi, holder of Common Victualler All Alcohol License #11604 at 1128 Cambridge Street, has applied to extend their closing hour on New Year's Eve for food and entertainments from 10:00 p.m. to 12:00 a.m. and for alcohol from 10:00 p.m. to 11:00 p.m.

**Summary:** The request submitted was for an extension of food, alcohol and entertainment hours from 10:00 p.m. to 1:00 a.m. The Board only allows for a maximum one-hour extension of the alcohol closing hour and a maximum two-hour extension of the food and entertainment closing hours.

**Decision:** Denied as applied; granted extension of closing hour for alcohol to 11:00 p.m., and extension of closing hour of food and entertainment to 12:00 a.m.

74) Poofydude, LLC d/b/a Wits End holder of All Alcohol License #11615 at 1248 Cambridge Street, has applied to extend their closing hour on New Year's Eve for food, alcohol and entertainment from 1:00 a.m. to 2:00 a.m.

**Decision:** No action, this was considered and granted on November 7, 2018.

75) Club Recreativo Lusitania, Inc. d/b/a Club Recreativo Lusitania, holder of Club License #11624 at 40-42 Fifth Street, has applied to extend their closing hour on New Year's Eve for alcohol from 1:00 a.m. to 2:00 a.m. and for food and entertainment from 1:00 a.m. to 3:00 a.m.

**Decision:** Granted.

76) Clube Desportivo Faialense, Inc. d/b/a Clube Desportivo Faialense, holder of Club License #11628 at 1115-1123 Cambridge Street, has applied to extend their closing hour on New Year's Eve for alcohol from 1:00 a.m. to 2:00 a.m. and for food and entertainment from 1:00 a.m. to 3:00 a.m.

**Decision:** Granted.

77) Middle East Restaurant, Inc. d/b/a Middle East, holder of Common Victualler All Alcohol License #11691 at 472 Massachusetts Avenue, has applied to extend their closing hour on New Year's Eve for food and entertainments from 1:00 a.m. to 3:00 a.m. and for alcohol from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

78) Baraka, Inc. d/b/a Baraka Café, holder of Common Victualler Alcohol and Entertainment License #12308 at 1728 Massachusetts Avenue, has applied to extend their closing hour on New Year's Eve for food and entertainment from 10:00 p.m. to 12:00 a.m. and for alcohol from 10:00 p.m. to 11:00 p.m.

**Decision:** Granted.

79) Ratify Statement of Reasons issued to La Fabrica Central, LLC DBA La Fabrica holder of Common Victualler All Alcohol License #11593 at 450 Massachusetts Avenue, on July 25, 2018, for violations of: Overcrowding, pursuant to M.G.L. ch. 138 §§23 and 64 and Board Rules 2.3, 2.5, 5.1 and 9.

**Summary:** Matter placed on the agenda due to an unrelated open meeting law complaint. Regardless, there may not be a need for action/ratification as all deliberations and votes regarding the violations found and the discipline issued were done during the open meeting of 7/11/18 when the matter was considered. The Statement of Reasons issued on 7/25/18 accurately represents the deliberations and votes. The members had an opportunity to further discuss or modify but did not.

**Decision:** Board ratified Statement of Reasons issued on 7/25/18 and confirmed it represented the Board's deliberations and votes as discussed and found on 7/11/18 during the open meeting.

80) 2019 Alcohol Renewal Corrections for Alcoholic Beverages Control Commission, Notifications of Cancellation and/or Non-Renewals (list will be presented at hearing).

**Summary:** This list contains typographical corrections, corrections to misclassification of licenses, and/or missing information (such as approved d/b/a) which need to be made to the ABCC's records. The list also includes licenses which have been cancelled throughout the year or during the renewal process (as the licenses have been turned in or the renewals not filed).

**Decision:** Acknowledged; list to be sent to the ABCC.

81) Approval of Alcohol Renewals and Changes to Renewal Records and/or Extension of Hours Filed after posting of agenda. (list will be presented at the hearing).

**Summary:** Regarding requests for extension of hours, those are not in the list as they were individually on the agenda. Regarding approval of the alcohol renewals, the list contains all that submitted a complete renewal within the month of November.

**Decision:** Acknowledged receipt of all applications listed as received in a timely manner. All renewals on the list approved except those for which a hearing for the consideration of rejecting the renewal application, cancellation for non-use, and/or revocation of grant will be held on January 16, 2019, which are: #5 on the list - AW Chen (our lic. #11595); #22 on the list - BBC of Main Street (our lic. #11610); #59 on the list - Classic Restaurant Concept, LLC [8 Holyoke] (our lic. # 11545); #79 on the list – Dante Alighieri Society of Mass, Inc. (our lic. # 11626); #80 on the list - Dark Ride Media (our lic. # 11601); #159 on the list - Lanes and Games, Inc. (our lic. # 11675); and # 265 on the list - Uno's Restaurants, LLC (our lic. # 11698). Also, of the approved renewals, the licenses will not issue for those that have not yet received a Certificate of Inspection.

#### **Application & Disciplinary 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. Testimony was taken.*

82) Application Toni Zoghayb has applied for a new Cambridge Hackney Driver's License.

**Decision:** No action, applicant did not show up to the hearing.

83) Application Rose Divil has applied for a new Cambridge Hackney Driver's License.

**Decision:** No action, matter continued at the request of the applicant who could not appear today (no new date).

84) Disciplinary Nicolazzo & Sons, holder of Leaf Blower Permit #10685, due to alleged violations of Cambridge Municipal Code, 8.16.081.2(e) – operating a leaf blower above the allowable dB(A) level.

Specifically, it is alleged that Nicolazzo & Sons employees used the non-permitted leaf blower on November 8, 2018, 2:00 p.m. on Berkeley Street in violation of 8.16.081.2(e).

**Present:** No one appeared for Nicolazzo. Chief Licensing Investigator Andrea Boyer; Jo Solet and Milan Bit, complainants.

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

**Summary:** Second call was at 4:03 p.m. Ms. Solet testified that she observed two leaf blowers in use simultaneously close to each other. She took pictures and videos and submitted them to Ms. Boyer. Mr. Bit stated that he has observed this company many times and the noise is very disturbing. One of the blowers was a Vortex which has a dB(A) beyond that allowed by the Ordinance. They are approved for an Echo. Both stated that the noise is too loud for people to be outside near them. Nicolazzo also has an outstanding fine. Nicolazzo was properly noticed of the hearing. Nicolazzo has been found in violation of the ordinance multiple times this year.

**Decision:** Violation for simultaneous use of multiple blowers, fine of \$300.00; violation for use of non-compliant blower, fine of \$300.00; and permit suspended through 12/31/18. In addition, the permit will not be renewed in 2019 unless the company appears before the Board.

85) Disciplinary E. C. Hathaway and Associates, due to alleged violations of 8.16.081.1(1)(b), 8.16.081.2(c) – operating without a permit, and 8.16.081.2(f) – more than one leaf blower being used within 10,000 sq. ft. of one another, on October 26, 2018 at 1:20 p.m. at 70 Sparks Street and on November 12, 2018 at 10:49 a.m. at 57 Brewster Street.

**Present:** No one for E. C. Hathaway appeared. Chief Licensing Investigator Andrea Boyer.

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

**Summary:** Second call was at 4:11 p.m. The November complaint was filed by Joseph Miner who reported the company was simultaneously using multiple blowers at the location on Veteran's Day. A picture of the observation was submitted. Investigator Bubenik submitted a violation report that in October he observed the simultaneous use of leaf blowers less than 10,000 sq. ft. apart. E.C. Hathaway received notice of the hearing but did not show up. The company is not permitted to operate in Cambridge. They have a significant history of violations in the City and have outstanding fines. The outstanding matters are being handled by the law department.

**Decision:** Board found violation of two counts of simultaneous use of multiple leaf blowers less than 10,000 sq. ft. apart and issued a \$300.00 fine for each, for a total \$600.00 fine. The Board also found violation of two counts of operating without a permit and issued a \$300.00 fine for each, for a total \$600.00 fine. The total fines imposed are \$1,200.00.

86) Disciplinary D. Muzzioli Associates, due to alleged violations of Cambridge Municipal Code, 8.16.081.2(e) – operating a leaf blower above the allowable dB(A) level, and 8.16.081.2(f) – more than one leaf blower being used within 10,000 sq. ft. of one another. Specifically, it is alleged that D. Muzzioli



Associates employees used non-permitted leaf blowers within 10,000 sq. ft. of one another on October 26, 2018 at 10:04 a.m. at 36-38 Carver Street in violation of 8.16.081.2(e) & (f).

**Present:** Chief Licensing Investigator Andrea Boyer; Paul Graham, employee of D. Muzzioli Associates; and Ed Abrams, complainant.

**Documents Considered:** Hearing notice and documents attached thereto; photos submitted at the hearing; and file.

**Summary:** Mr. Abrams stated that he observed two workers using leaf blowers simultaneously at 36-38 Carver Street, and that the blowers were very loud. The workers were blowing leaves in to the street. He further stated that this company has had numerous violations. Ms. Boyer stated that Muzzioli is permitted for 1 leaf blower. She observed two Red Max blowers on their truck, which are not allowed to be used in Cambridge. Mr. Graham said the employees told him they were using the correct blowers, and that they were also using rakes. A picture submitted at the hearing clearly depicts the use of two leaf blowers at the same time.

**Decision:** Board found a violation for using multiple blowers simultaneously and issued a \$300 fine, and a violation for using a non-allowable leaf blower and issued a \$300 fine; total fine of \$600.

87) Disciplinary Landscape Collaborative of New England, holder of Leaf Blower Permit #10704, due to alleged violations of Cambridge Municipal Code, 8.16.081.2(e) – operating a leaf blower above the allowable dB(A) level. Specifically, it is alleged that Landscape Collaborative of New England employees used non-permitted leaf blowers on November 8, 2018 at 3:00 p.m. on Craigie Street in violation of 8.16.081.2(e).

**Present:** Chief Licensing Investigator Andrea Boyer; Jo Solet, complainant; and Michael Piering, Chief Operating officer for Landscape Collaborative.

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

**Summary:** Ms. Solet stated that she heard a great deal of noise, so she walked up the street and observed employees of Landscape Collaborative using more than one leaf blower simultaneously. She also observed them using a Vortex leaf blower. Ms. Solet submitted pictures of her observations. Ms. Boyer testified the leaf blowers were identified as not allowed per the Ordinance as the sound emissions are beyond those allowed. Mr. Piering stated that the company has invested heavily in Stihl products and he does not know why they weren't being used. He also explained that he has trained his employees on the Ordinance.

**Decision:** Board found a violation for using multiple blowers simultaneously and issued a \$300 fine, and a violation for using a non-allowable blower and issued a \$300 fine; total fine of \$600.00. Board placed Landscape Collaborative on probation for having multiple violations. If there is another violation between now and the renewal period, they may be brought in for a hearing for non-renewal of the permit.

88) Application Mass Ave Wine, Inc. d/b/a Central Bottle Wine and Provisions, 196 Massachusetts Avenue, has applied to transfer the Wine & Malt Package Store License held by Vivace Vino, Inc., 196 Massachusetts Avenue. Tanzila Sharmin as Proposed Manager of Record of a premise described as: Approximately 1,874 square feet on the ground floor in five (5) rooms. One (1) entrance and two (2) exits.

**Present:** Attorney Nelson Chang; and Tanzila Sharmin and Tariq Milton, applicants.

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

**Summary:** The applicants are seeking to take over the store currently there (has been there since 2009). They will be keeping the hours as on the previously approved license (Sunday 10 a.m.-11 p.m., and Monday-Saturday 8 a.m.-11 p.m.) and do not expect to make many changes to the business. The applicants have a significant amount of experience operating package stores. Sharmin will submit TIPS certification. They have also applied for a pledge of the license. The note and security agreement will be executed upon approval. The applicants know that the license cannot be "assigned" without approval from the Board and ABCC.

**Decision:** Granted, need TIPS/21 Proof Certification for Sharmin.

89) Application Highgate Hotels, LP d/b/a Courtyard Boston Cambridge, 777 Memorial Drive, holder of an All Alcohol Innholder License, has applied for a Change of Manager to Neil Dang.

**Present:** Neil Dang, proposed manager.

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

**Summary:** Applicant has been an approved manager of record with no disciplinary issues with the local board(s) or ABCC. Has both 21 Proof and TIPS certifications and will provide them to the Board.

**Decision:** Granted, need TIPS/21 Proof Certification for Dang.

90) Application Marriott Hotel Services, Inc. d/b/a Cambridge Center Marriott, 50 Broadway, holder of an All Alcohol Innholder License, has applied for a Change of Manager to Cathleen Wardley.

**Present:** Cathleen Wardley, proposed manager.

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

**Summary:** Applicant has been an approved manager of record with no disciplinary issues with the local board(s) or ABCC. She is TIPS certified and will provide certification to the Board.

**Decision:** Granted, need TIPS/21 Proof Certification for Wardley.

91) Application Norton Woods, Inc. d/b/a American Academy of Arts and Sciences, 136 Irving Street, holder of a Common Victualler All Alcohol License, has applied for a Change of Manager to Joni Aldrich.

**Present:** Joni Aldrich, proposed manager.

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

**Summary:** Applicant has not been manager of record before but has worked at the ART for eight years. She will submit proof of TIPS or 21 Proof training and proof of citizenship.

**Decision:** Granted, need TIPS/21 Proof Certification for Aldrich as well as proof of citizenship.

92) Application Formaggio Kitchen Kendall, Inc. d/b/a Formaggio Kitchen, 94 Hampshire Street, has applied for a new Wine & Malt Package Store License and Entertainment License. The proposed hours are 10:00 a.m. to 4:00 p.m. Sunday; 9:00 a.m. to 7:00 p.m. Monday through Friday; and 9:00 a.m. to 6:00 p.m. Saturday. Ihsan Gurdal as Proposed Manager of Record of a premise described as: 2,000 square feet with front entrance and secondary egress in rear.

**Present:** Attorney James Rafferty; and Ihsan Gurdal and Valerie Gurdal applicants.

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

**Summary:** The applicants have operated Formaggio Kitchen on Huron Avenue for many years. They have purchased the condo at the new location. It will operate the same way as the Huron Avenue store. It will be a specialty cheese and primarily wine store, with mostly organic wines.

**Decision:** Granted, need TIPS/21 Proof Certification for Gurdal.

93) Application Fuji Group, Inc. d/b/a Fuji Restaurant, 300 Third Street, holder of a Common Victualler All Alcohol License, has applied for a Change of Officer/Directors, New Stockholder/Transfer of Stock, and Change of Manager.

**Present:** Anthony Wong, proposed manager; and Tony Liang.

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

**Summary:** This application was filed to clean up discrepancies found during renewals and for a change of manager. Mr. Wong has not been an approved manager of record but has been in the industry over 10 years and with Fuji for 5 years. He is scheduled to obtain his TIPS certification and will provided upon receipt. As to the corporate changes, other than clean-up of the interests/officers/directors, there are no operational changes to the business.

**Decision:** Granted, need TIPS/21 Proof Certification for Wong.

94) Application Bao & Mein, Inc. d/b/a Shabu & Mein, 1 Rogers Street, holder of a Common Victualler All Alcohol License, has applied for a Change of Officer/Directors and New Stockholder/Transfer of Stock.

**Present:** Tony Liang on behalf of the applicant.

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

**Summary:** This application was filed to clean up discrepancies found in the record during renewals. Other than clean-up of the interests/officers/directors, there are no operational changes to the business.

**Decision:** Granted pending no CORI issues.

95) Application Give Em Enough Rope, LLC, d/b/a The Automatic, 50 Hampshire, holder of a Common Victualler All Alcohol License, has applied for a Transfer of Stock, Change of Ownership Interest, and Pledge of License/Stock. They are also applying for a one-day hawker/peddler license on December 16, 2018 from 11:30 p.m. to 4:30 p.m. Applicant # 28834.

**Present:** Attorney Matthew Solomon; and David Cagle, applicant.

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

**Summary:** Applicant is absorbing the minority shares (35%) currently held by Chris Schlesinger. There will be no changes to the business. New DUA and DOR certificates may be needed. There are no operational changes to the business.

As to the one-day application for hawker/peddler permit, the event will be held inside.

**Decision:** Granted as to both.

96) Application Marsh Post No 442 The American Legion, Inc., 0 Gerry's Landing, holder of an All Alcohol Club License, has applied for a Change of License Type to Veteran's Club.

**Present:** Attorney Kevin Crane; and Charlie Linehan, on behalf of the applicant.

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

**Summary:** Attorney Crane explained that American Legion, Inc. is chartered under the United States Congress. They are nationally recognized, and all members are veterans.

**Decision:** Granted, pending submission of veteran organization status incorporated by US Congress and proof that the club is only open to war veterans.

97) Application Bertucci's Restaurants, LLC, D/B/A Bertucci's Brick Over Ristorante, 799 Main Street, has applied to transfer the C.V. All Alcohol License held by Bertucci's Restaurant Corp., at said

location. The proposed hours are 11:00 a.m. to 1:00 a.m. Sunday; 8:00 a.m. to 1:00 a.m. Monday through Wednesday; and 8:00 a.m. to 2:00 a.m. Thursday through Saturday. Cheryl DaSilva as Proposed Manager of Record of a premise described as: Dining Area and Kitchen on First Floor. Basement for Storage. Applicant is also applying to pledge said license to CIT Bank N.A.

**Present:** Cheryl DaSilva, proposed manager.

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

**Summary:** As to the license transfer from Bertucci's Restaurant Corp. to Bertucci's Restaurants, LLC, it is a reverse transaction that has already been approved by the ABCC. There are no operational changes to the business. DaSilva has not been an approved manager of record but has significant restaurant experience and is already TIPS certified.

**Decision:** Granted, need TIPS/21 Proof Certification for DaSilva.

98) Application Bertucci's Restaurants, LLC, D/B/A Bertucci's Brick Over Ristorante, 5 Cambridgepark Drive, has applied to transfer the C.V. All Alcohol License held by Bertucci's Restaurant Corp., at said location. The proposed hours are 11:00 a.m. to 1:00 a.m. Sunday; and 8:00 a.m. to 1:00 a.m. Monday through Saturday. Alberto Barros as Proposed Manager of Record of a premise described as: One Room Situated on First Floor Consisting of Dining Area, Kitchen and Bar and One Outside Patio. Applicant is also applying to pledge said license to CIT Bank N.A.

**Present:** Sean Campbell, proposed manager.

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

**Summary:** The agenda incorrectly states that Alberto Barros is the proposed manager of record. The documents submitted and the application all clearly identify Sean Campbell as the proposed manager of record. Campbell has experience in the business and working in Bertucci's and he is already TIPS Certified. As to the license transfer from Bertucci's Restaurant Corp. to Bertucci's Restaurants, LLC, this is a reverse transaction that has already been approved by the ABCC. There are no operational changes to the business.

**Decision:** Granted, need TIPS/21 Proof Certification for Campbell.

99) Application Good News Garage, LLC, 75 Hamilton Street, has applied for a new Flammables Storage License for 880 gallons of Class III (motor oil).

**Present:** Attorney Jonathan Young; and Craig Lavalley, applicant.

**Documents Considered:** Application and documents attached thereto; and Flammable Materials Permit issued by the Fire Department.

**Summary:** The application and the matter as noticed on the agenda have less capacity than those at the location. The Flammable Materials Permit issued for the location by the Cambridge Fire Department correctly states the amounts of flammables that are sought to be stored at the location.

**Decision:** Granted with the amounts to be amended to reflect what is on the Flammable Materials Permit (120 gallons of Class I [gasoline]; 990 gallons of Class III [oils all stored in drums]; and 250 cubic feet of flammable gases [acetylene]).

100) Application 56 Bagels, LLC d/b/a Black Sheep Bagel Cafe, 56 JFK Street, has applied for a new Common Victualler Wine & Malt License and Entertainment License. The proposed hours for alcohol service is 9:00 a.m. to 4:00 p.m. on Saturday and 10:00 a.m. to 4:00 p.m. on Sunday. Shoshana Garber as Proposed Manager of Record of a premise described as: Retail bagel restaurant 1270 sq. feet, basement level, one room with public access, entrance in front at JFK Street.

**Present:** Shoshanah Garber and Manuel Ramirez, applicants; and Attorney Kathleen Moore.

**Documents Considered:** Application and documents attached thereto; email from Denise Jillson on behalf of Harvard Square Business Association.

**Summary:** This is a current common victualler operation. For the area this is a unique concept that allows for access to good food for a reasonable price. They have been approached to expand their concept and also have been asked to host private events. The alcohol will provide an amenity that is being sought by the clientele. The proposed hours, as amended in the hearing, would be Monday through Saturday 9 a.m.-11 p.m. and Sunday 10 a.m.-11 p.m. The request for the 11 p.m. closing time is mostly so that they can fulfill the requests for private events at the location. Mr. Ramirez has over 15 years in the industry. Garber also has experience in the industry but has never been an approved manager of record. The Harvard Square Business Association is fully in support of the application.

**Decision:** Granted with the amended hours of operation, need TIPS/21 Proof Certification for Garber.

101) Application JH Restaurant Cambridge, LLC d/b/a John Harvard's Brew House, 33 Dunster Street, holder of a Common Victualler All Alcohol License, has applied for a Change of Beneficial Interest and Transfer/Issuance of Stock.

**Present:** Wendell Sparks, Jr. on behalf of the applicant.

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

**Summary:** This is a change to the corporate structure. There are no operational changes to the business.

**Decision:** Granted pending submission of the corporate vote, DOR and DUA certificates.

102) Application AY Restaurants, Inc. d/b/a Mae Asian Eatery, 781 Main Street, has applied for a new Common Victualler License with seating capacity of 20 and proposed hours of operation from 11:00

a.m. to 10:00 p.m. Sunday through Thursday and 11:00 a.m. to 11:00 p.m. Friday and Saturday. Yuri Asawasittikit as proposed manager of record of a premise described as: The restaurant is 1200 sq ft and is 1 floor with a basement for storage. There is 1 customer restroom. The main entrance and exit is in the front of the building. There is an emergency exit in the seating area and another entrance/exit for deliveries and employees in the back of the building through the kitchen.

**Present:** Yuri Asawasittikit and Jay Pukma, applicants.

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

**Summary:** This restaurant will be taking over the Beijing Tokyo space. The concept is based on the applicant's mothers' cooking, which is reflected in the name of the establishment.

**Decision:** Granted.

103) Application Teyya & Son d/b/a Yummy Thai, 2261 Massachusetts Avenue, has applied for a new Common Victualler License with seating capacity of 9, a total occupancy of 15 and proposed hours of operation from 11:00 a.m. to 11:00 p.m. all days. Boonchai Kosolkitchawong as proposed manager of record of a premise described as: First floor and basement with front and rear ingress and egress for dine in and take out retail food service.

**Present:** Kittama Stanley, Boonchai Kosolkitchawong, applicants; and Wontana Sutamiti (translator).

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

**Summary:** Applicants purchased the business and will not be making any changes. They are taking over the operation including the name. There was a discussion as to the zoning limitation on the take-out sales.

**Decision:** Granted with the following conditions: "Per zoning, total take-out sales is limited to a maximum of 20% of the gross sales; and maximum seating capacity is 19."

#### **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.*

104) Daniel Ludden, on behalf of the Boston Baroque, has applied for a wine license to be exercised at Sanders Memorial Hall, 45 Quincy Street, on 12/31/18 & 1/1/19 from 8:00 p.m. – 10:30 p.m. and 3:00 p.m. – 5:00 p.m. for a concert. Expected attendance – 1000 people. Applicant # 25624

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

105) Erik Hahr, has applied for a hawker/peddler license for (32) vendors to be exercised at the Cambridge Center for Adult Education, 42 Brattle Street, on 12/15 & 12/16/18 from 10:00 a.m. – 5:00 p.m. for a mistletoe art fair to sell handmade craft and art. Applicant #26439

**Decision:** Granted.

106) Troy Hollihan, has applied for a malt and wine license to be exercised at Workbar, 45 Prospect Street, on 12/13/18 from 6:00 p.m.- 8:00 p.m. for an art reception. Expected attendance – 75 people. Applicant # 27563

**Decision:** Granted, with the condition that the alcoholic drinks must be sold.

107) Ken Oringer, on behalf of Little Donkey, has applied for an entertainment license to be exercised at 505 Massachusetts Avenue, on 12/15/18 from 7:00 p.m. – 12:00 a.m. for a holiday party with live music. Expected attendance – 100 people. Applicant # 27788

**Decision:** Granted.

108) Kristin Wagner, has applied for a malt and wine license to be exercised at The Dance Complex, 536 Massachusetts Avenue, on 12/22, 12/29, 12/30/18, 1/12, 1/13, 1/18, 1/19, 1/20, 1/25 & 1/26/19 from 5:00 p.m. – 10:00 p.m. for a dance performance. Expected attendance – 95 people. Applicant # 28078

**Decision:** Granted.

109) Michael Connolly, has applied for a malt and wine license to be exercised at Workbar, 45 Prospect Street, on 12/17/18 from 6:00 p.m. – 8:00 p.m. for a campaign fundraiser. Expected attendance – 150 people. Applicant # 28360

**Decision:** Granted, with the condition that the alcoholic drinks must be sold.

110) Pedro Morales, has applied for a malt and wine license to be exercised at Sanders Theatre, 45 Quincy Street, on 12/13, 14, 15, 16, 20, 22, 23, 26, 27, 28 & 29/18 from 1:00 p.m. – 10:00 p.m. for a musical theater play. Expected attendance – 1000 people. Applicant # 28557

**Decision:** Granted.

111) Pedro Morales, has applied for a malt and wine license to be exercised at Sanders Theatre, 45 Quincy Street, on 12/31/18 & 1/1/19 from 6:00 p.m. – 10:00 p.m. & 1:00 p.m. – 6:00 p.m. for a concert. Expected attendance – 800 people. Applicant #28562



**Decision:** Granted.

112) Jess Cherofsky, on behalf of Cultural Survival, has applied for an entertainment license to be exercised at Cambridge Rindge and Latin School, 449 Broadway, on 12/15 & 12/16/18 from 10:00 a.m. – 6:00 p.m. for a craft fair with recorded music, live music and amplification system. Expected attendance – 300 people. Applicant # 24340.

**Decision:** Granted.

113) Jennifer Sur, has applied for a hawker/peddler license to be exercised at Memorial Hall, 45 Quincy Street, on 12/13, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28 & 29 from 1:00 p.m. – 11:00 p.m. to sell cd's, cards, books and ornaments. Applicant # 28675

**Decision:** Granted.

114) Marianne Marrone has applied for a one-day alcohol and entertainment license at 2225 Massachusetts Avenue on December 31, 2018 from 5:00 p.m. to 8:00 p.m. for a friends and family celebration. Applicant #28810.

**Decision:** Granted.

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**Board's Approval of Minutes:**

NMF

GEM

BGB

Date Minutes Approved: JAN 16 2019

Date Approved Minutes Were Posted: JAN 16 2019