



# CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

## **BOARD OF LICENSE COMMISSIONERS' MEETING MINUTES**

**For October 23, 2019, 3:00 p.m.**

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

**Meeting started at approximately 3:02 p.m.**

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

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

***Note:*** All votes, unless otherwise indicated, were 2-0.

### **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. Disciplinary Hanarum Corporation d/b/a First United Market, 271 Brookline Street, Wine and Malt Package Store License #11716, for allegations of sale, service and/or furnishing alcohol to a minor on August 29, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. [Time Stamp: 01:04]

**Present:** Licensing Investigator Tyler Bubenik; Sonjin Lee and Yuri Lee, owners.

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

**Summary:** While conducting a field investigation, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer at First United Market, 271 Brookline Street on August 29, 2019. The clerk of First United Market did not ask the individual for identification and the sale was completed. Mr. Bubenik testified that he could see the operative leave the establishment with a 6-pack of beer. Ms. Lee did not deny the infraction occurred and apologized to the Board. She stated that since then the staff has been retrained. The clerk said that the operative looked older and that is why she did not ask for an ID. Ms. Lee was not able to articulate how the individual looked old. The clerk in question was recertified in TIPS. First United has not had any disciplinary issues in the past.

**Decision:** Violation, 2 days suspension.

2. Disciplinary Harvard Wine Company, Inc. d/b/a Harvard Wine, 1664 Massachusetts Avenue, All Alcohol Package Store License #11318, for allegations of sale, service and/or furnishing alcohol to a minor on August 29, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. [Time Stamp: 07:09]

**Present:** Licensing Investigator Tyler Bubenik; Attorney Hillary Black and James F. Black.

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

**Summary:** While conducting a field investigation, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer at Harvard Wine, 1664 Massachusetts Avenue on August 29, 2019. Mr. Bubenik testified that he could see the operative leave the establishment with a 6-pack of beer. The clerk of Harvard Wine did not ask the individual for identification and the sale was completed. Mr. Black did not deny the infraction occurred and apologized to the Board. He stated that he was the one who made the sale. He was extremely busy at the time with a distributor and a delivery was coming in. Mr. Black said the operative looked over 21. He said he is very good at spotting underage people. Since that time he took TIPS training again. He has signage inside and outside the store. There has not been a violation within the last 5 years.

**Decision:** Violation, 2 days suspension.

3. Disciplinary University Wine Shop, Inc. d/b/a University Wine Shop, 1737 Massachusetts Avenue, All Alcohol Package Store License #11307, for allegations of sale, service and/or furnishing alcohol to a minor on August 29, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. [Time Stamp: 15:25]

**Present:** Licensing Investigator Tyler Bubenik; Paul DeRuzzo, owner.

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

**Summary:** While conducting a field investigation, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer at University Wine Shop at 1737 Massachusetts Avenue on August 29, 2019. The clerk of University Wine Shop did not ask the individual for identification and the sale was completed. Mr. Bubenik testified that he could see the operative leave the establishment with a 6-pack of beer. Mr. DeRuzzo did not deny the infraction occurred and apologized to the Board. He stated that he was in the store but did not see the interaction take place. The employee, who has worked there for a long time, said the individual looked over 30. University Wine Shop has not had any disciplinary issues in the past.

**Decision:** Violation, 2 days suspension.

4. Disciplinary Chowdhery, Inc. d/b/a University Market, 1105 Massachusetts Avenue, Wine and Malt Package Store License #11718, for allegations of sale, service and/or furnishing alcohol to a minor on August 29, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6. **[Time Stamp: 18:55]**

**Present:** Licensing Investigator Tyler Bubenik; Rezbul Chowdhury, owner.

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

**Summary:** While conducting a field investigation, an underage operative working with the Cambridge Police Department and License Commission, was able to purchase a 6-pack of beer at University Market, 1105 Massachusetts Avenue on August 29, 2019. The clerk of University Market did not ask the individual for identification and the sale was completed. Mr. Bubenik testified that he could see the operative leave the establishment with a 6-pack of beer. Mr. Chowdhury stated that he was the one who made the sale. He stated that he wasn't feeling well and sent his night manager to the bank. He sat down behind a rack. The night manager didn't have a violation in 24 years. They are very strict about checking ID's and they scan ID's. This is the first time he had a violation. He didn't ask for an ID because he thought the person looked over 30. The Board expressed concern that they didn't even ask for an ID as they have a scanner.

**Decision:** Violation, 2 days suspension.

**Note:** Applications 5,6,7 and 8 were considered together.

5. Application #49958 Cambridge Public Schools, 1640 Cambridge Street, has applied for a Flammables License for 200 gallons of Class II. **[Time Stamp: 26:10]**
6. Application #49951 Cambridge Public Schools, 341 Rindge Avenue, has applied for a Flammables License for 10 gallons of Class I.
7. Application #49952 Cambridge Public Schools, 359 Broadway, has applied for a Flammables License for 10 gallons of Class I.
8. Application #49949 Cambridge Public Schools, 456 Broadway, has applied for a Garage and Flammables License for 15 parking spaces, 150 gallons of Class I in the tanks of vehicles, 10 gallons of Class I, 2,000 gallons of Class II, 30 gallons of Class III, and 6 cubic feet of flammable gases.

**Present:** Vedad Konjic, applicant.

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

**Summary:** All of these applications are for the use of the public schools. The flammables are for generators and snow blowers. The garage application for 456 Broadway is a teaching garage for students.

**Decision:** Granted as to all.

9. Application #54066 Hey Ram Corporation d/b/a Louie's Superette, 26-28 Surrey Street, Wine and Malt Package Store License #50247, for a Change of d/b/a to Surrey Street Market. [Time Stamp: 28:02]

**Present:** Ravi Patel, applicant.

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

**Summary:** This is a recently approved license transfer that is still pending at the ABCC. There are no other changes.

**Decision:** Granted.

10. Application #56160 The Cheesecake Factory Restaurants, Inc. d/b/a The Cheesecake Factory, 100 Cambridgeside Place, Common Victualler All Alcohol License #11347, for Change of Manager to Isaac Unsinn. [Time Stamp: 28:50]

**Present:** Attorney Andrew Upton; Isaac Unsinn.

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

**Summary:** Mr. Unsinn has been with Cheesecake Factory for over 10 years. He has been TIPS certified for 10 years and is familiar with the sale and service of alcohol. He began as a server for three years and then became a manager. He has also worked at a restaurant in Marina Bay.

**Decision:** Granted subject to submission of TIPS certification.

11. Application #56462 Whitney's Café, Inc., 37 JFK Street, General On Premise All Alcohol License, has applied for a Change of License Type to Restaurant. [Time Stamp: 38:38]

**Present:** Dan McGuire, applicant.

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

**Summary:** Mr. McGuire stated that he is going back to serving food. The kitchen always remained on premise. He has already spoken to ISD about minimal changes that will be made.

**Decision:** Granted.

12. Application East West Bridge, LLC, 20 Lincoln Way, has applied for a Livery/Limousine License for one (1) vehicle. **[Time Stamp: 33:00]**

**Present:** No one appeared for the applicant.

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

**Summary:** This application had been before the Board in 2018. The application was granted but the applicant never completed the process and the license never issued. The applicant was noticed for the hearing and failed to show up. Second call was given at 4:58 p.m.

**Decision:** Denied.

13. Application #54738 Spyce Food Co., 1 Brattle Square, has applied for a new Common Victualler All Alcohol Beverages License. The proposed hours of operation are 10:00 a.m. to 2:00 a.m. Sunday through Wednesday and 10:00 a.m. to 4:00 a.m. Thursday through Saturday with alcohol sales until 2:00 a.m. Outside hours are 10:00 a.m. to 11:00 p.m. all days. Proposed seating for 55 inside, an inside occupancy of 80, 22 seats outside on a private property, and an outside occupancy of 30. Michael Lipari as Proposed Manager of Record of a premise described as: 2,700sf: On ground floor, In two (2) rooms including a dining room with one (1) bar, kitchen, two (2) restrooms, and a seasonal outdoor patio on private property; office and storage in rear of premises (closed off to public access). The premises has two (2) entrances, and (1) exit. Applicant is also applying for an Entertainment License to include: Live music with amplification; floor show; DJ; trivia; 3 TV's; and 1 stage. **[Time Stamp: 33:25]**

**Present:** Attorney Kristen Scanlon; Michael Lipari, General Manager; Michael Farid, CEO; Jim Dezutter, director of construction and expansion; Lydia Bowers, people and culture lead. Denise Jillson, Harvard Square Business Association, spoke in favor of the application.

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

**Summary:** Mr. Lipari explained the concept, which was developed when they were students at MIT. They were studying robotics and wanted to open a place that served healthy meals at an affordable price point. Their first establishment opened in Boston. It is an automated cooking platform. Most of the meal cooking and assembly is automated. There is a concierge to make sure the right meal gets to the right person. This will be grab and go as well as sit down. The change from lunch to dinner will be

lighting based. Alcohol will have to be ordered at a bar. The outdoor patio can only be accessed from the interior space and there will be a 60" high barrier surrounding it. They have security cameras and will be installing a scanner for alcohol sales. There will be a stage for talks, demonstrations and spoken word. Mr. Lipari has been in the restaurant business for many years. He is TIPS certified. Another of the principals has been in the industry for 25 years.

**Decision:** Granted with amended hours of 10:30 a.m.-1:00 a.m. daily inside and 10:30 a.m.-11:00 p.m. for the patio. Must submit new floor plan showing location of entertainment devices.

14. Application #52757      Transfer of the Wine & Malt Package Store License held by Fresh Pond Market Co., d/b/a Fresh Pond Market, 358 Huron Avenue, to FP Market, LLC d/b/a Formaggio Kitchen, at the same address. Valerie Gurdal as Proposed Manager of Record of a premise described as: Ground floor retail food store selling beer and wine, containing approximately 4,000 sf with one exit and one entrance. **[Time Stamp: 47:10]**

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

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

**Summary:** This was originally heard on August 21, 2019. It was later determined that the applicants were over the statutory limit on number of stores owned by one individual in a municipality. In addition, the applicants noticed they had disclose dinterest in a store in which the applicants no longer held an interest. The application was withdrawn and the instant application was filed with the one individual removed. All other aspects of the application, concept and manager were the same as what was heard on August 21, 2019. Hence, the hearing and all information provided therein was incorporated by reference and made a part of the instant hearing.

**Decision:** Granted.

15. Application #57553      Roche Bros. Supermarkets Co. d/b/a Brothers Marketplace, 1 Broadway, for a new Common Victualler License with proposed hours of 7:00 a.m. to 9:00 p.m. Monday through Saturday and 8:00 a.m. to 9:00 p.m. on Sunday, seating for 30. Wander Rezende as proposed manager of record of a premise described as: An area of 11,753 square feet at One Broadway with 7,362 square feet subgrade for storage and preparation is to be facilitated as a retail supermarket. The total occupancy is 482 persons. The use of the facility is mercantile (supermarket ) with the seating being auxiliary use to mercantile as it is within the ratio allowed. **[Time Stamp: 49:37]**

**Present:** Steve Valeri, applicant.

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

**Summary:** There will be prepared foods and a salad bar, with an area where patrons can sit. There is no outside seating. Hours for food are the same as the store hours.

**Decision:** Granted.

16. Application #57149      Iamb, Inc. d/b/a Central Kitchen, 567 Massachusetts Avenue, Common Victualler All Alcohol License, has applied for an alteration of premise to remove the first floor. The proposed premise is described as: Second floor with a 420 sf kitchen, two bathrooms, and a 1200 sf dining area with a bar. The dining area has one entrance on Massachusetts Avenue and a side emergency exit into Modica Way. Seating for 40 and a total occupancy of 85. **[Time Stamp: 50:47]**

**Present:** Gary Strack, owner and Avery Appleton.

**Documents considered:** Applications and documents attached thereto.

**Summary:** This is a request to remove the first floor space from the premises and remove the patio from the premise description. The entire operation would be on the second floor with storage in the basement, to which they have direct access. It is also an application for a change of manager. Ms. Appleton has 15+ years in the restaurant industry in Cambridge and Boston. 21-Proof training will be completed and the certificate uploaded. The applicant, however, requested the Board defer its decision as the landlord had not finalized the tenant for the first floor and the licensee wanted to operate as long as possible on this floor.

**Decision:** Defer.

17. Application #55624      San Grill La, Inc., d/b/a Full Moon, 344 Huron Avenue, has applied for a new Common Victualler Wine & Malt License. The proposed hours of operation are 8:00 a.m. (11:00 a.m. for alcohol) to 10:00 p.m. Sunday and 9:00 a.m. to 10:00 p.m. Monday through Saturday. Proposed seating for 66 with an occupancy of 80. Bhola Pandey as Proposed Manager of Record of a premise described as: Approximately 1,890 sq. ft. retail restaurant space on 2 floors with 5 rooms on main floor consisting of open dining room, open kitchen, back kitchen, and 2 restrooms, and 3 rooms in basement for storage, consisting of open basement, office, and shower room; 1 front entrance/exit for public use, 1 rear entrance/exit for employees and deliveries, and 1 rear door for deliveries. **[Time stamp: 54:22]**

**Present:** Attorney Joe Devlin and Bhala Pandey, applicant.

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

**Summary:** The applicant is purchasing all of the assets of Full Moon, except the d/b/a, which they are now seeking to change to Melting Pot. The operation will be run the same as it currently is. Mr. Pandey has owned and operated his own restaurant for 16 years. He owns a

restaurant in Winchester where he is the manager of record and has had no disciplinary issues. His brother-in-law will become the manager of record there so he can run this establishment.

**Decision:** Granted with amended d/b/a to Melting Pot, and amended alcohol hours of 8:00 a.m. – 10:00 p.m. Monday – Saturday, 11:00 a.m. – 10:00 p.m. to Sunday, and food hours Monday - Saturday 8:00 a.m. – 10 p.m. and 9:00 a.m. - 10:00 p.m. on Sunday.

18. Application #54291      Guhanian Restaurant Group, LLC d/b/a Weltkuche Bistro, 5 Glassworks Avenue, has applied for a new Common Victualler All Alcohol License. The proposed hours of operation are 7:00 a.m. (11:00 a.m. for alcohol) to 2:00 a.m. all days. Proposed seating for 65 inside, an inside occupancy of 78, and 30 seasonal patio seats on private property. Narinder Guhanian as Proposed Manager of Record of a premise described as: The restaurant will contain 2,815 square feet of gross leasable area, more or less. It will be retail space located on the street level fronting Glassworks Avenue. There is a first floor seating area, basement storage area, and seasonal outdoor patio. Applicant is also applying for an Entertainment License to include: DJ and Karaoke. [Time Stamp: 1:02:10]

**Present:** Attorney Charles Houghton; Michael Solomon, food service consultant and designer; Narinder Guhanian, applicant.

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

**Summary:** There was special permit granted for this building with retail space, including a restaurant space, on the ground level. There will be 65 seats inside with 30 on the patio which is in the front only, across from where the new train station is being built. The patio is on private property. This will be a full service restaurant. There is a 13 seat bar. They will be serving breakfast all days. This would be the only restaurant in the neighborhood. The only other food offered in the area is a convenience store. Mr. Guhanian grew up in the restaurant business. He has owned other restaurants. He has been an approved manager of record and is TIPS certified. The DJ and karaoke is only to be occasional. It would be inside only. Numerous emails were received expressing concern about the DJ and karaoke. Mr. Guhanian engaged a sound proofing expert to make recommendations as to how to attenuate noise. All suggestions were followed. The DJ would be in a booth with small speakers, with the ability to hook up an iPod. There would not be large speakers. The glass panels are stationary. William Arnost spoke in opposition to the application. His window looks down on the space from across the street. He was glad to hear of the soundproofing. Kathleen O'Malley Lotte also spoke in opposition. She is concerned about the vibrations from music and people smoking outside. The restaurant is metal and concrete, not wood. The vibration has been isolated. They are currently building out the space and are hoping to open in December.

**Decision:** Granted with amended hours: food opening hours all days is 7:00 a.m.; alcohol opening hours all days is 11:00 a.m.; closing hour for food and alcohol Sunday-Friday 12:00 a.m.; closing hour for food and alcohol Friday and Saturday 1:00 a.m.; patio



closing hours all days is 10:00 p.m.; entertainment approved as applied but closing hour for DJ and karaoke is 11:00 p.m. and all background entertainment has same closing hours as the restaurant.

#### **Administrative Matters**

*All the below listed matters are considered and voted upon by the Board without public testimony. Unless otherwise indicated, all the matters are decided upon by the individual review of the papers/applications before the Board members and each member votes upon the matter. The summary of what is considered by the Board, unless otherwise indicated, is the identifying information of the matter as listed on the agenda. [Time Stamp: 1:28:00]*

#### **Matters Deferred from 9/24/19**

19. Cambridge Mall Liquor Co., Inc. d/b/a Cambridge Wine & Spirits, 202 Alewife Brook Parkway, All Alcohol Package Store License #11313, for allegations of:

- (a) Sale, service and/or furnishing alcohol to a minor on August 6, 2016, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6; and
- (b) Attempt to and/or hindering/delaying an investigation by warning another of compliance checks on August 6, 2019, in violation of G. L. c. 138, §§ 23 and 64, and Board's Rules 13.4 and 13.5.

**Summary:** As to the sale to the minor, the Board found consistent with other cases. With regard to the hindering/delaying investigation, there was a question on the issue of whether there was an intent to hinder. The Board discussed the testimony of Mr. Young and its credibility.

**Decision:** Violation, 2 days suspension on count (a); no violation on count (b).

20. Fresh Pond Liquors, Inc. d/b/a Sav-Mor Spirits, 233 Alewife Brook Parkway, All Alcohol Package Store License # 11315, for allegations of:

- (a) Sale, service and/or furnishing alcohol to a minor on August 6, 2016, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6; Board found a violation and issued a 2 day license suspension; and
- (b) Attempt to and/or hindering/delaying an investigation by warning another of compliance checks on August 6, 2019, in violation of G. L. c. 138, §§ 23 and 64, and Board's Rules 13.4 and 13.5.

**Summary:** As to the sale to the minor, the Board found consistent with other cases. With regard to the hindering/delaying investigation, there was a question on the issue of whether there was an intent to hinder. The Board discussed the testimony of Mr. Weiner and its credibility.

**Decision:** Violation, 2 days suspension on count (a). There was no quorum on count (b)  
– Chair Murati Ferrer voted for a violation, Commissioner Bard voted for a no violation.

21. Liquor World, Inc. d/b/a Porter Square Wine & Spirits, 13 White Street, All Alcohol Package Store License #11320, for allegations of sale, service and/or furnishing alcohol to a minor on August 6, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6.

**Summary:** The Board discussed how there was clearly a sale to a minor. The operative used, however, did not leave the premises when asked for an identification. The Board discussed how it did not view the operative's actions as entrapment but the ABCC has ruled otherwise in similar cases.

**Decision:** No vote.

22. Broadway Marketplace, LLC d/b/a Broadway Marketplace, 486 Broadway, All Alcohol Package Store License #11421, for allegations of sale, service and/or furnishing alcohol to a minor on August 15, 2019, in violation of G. L. c. 138, §§ 23, 34, 41, 64-64A, and Board's Rules 2 and 5B.6.

**Summary:** The Board had originally deferred its vote on this matter to consider the facts and the suspension period.

**Decision:** Violation, 2 days suspension.

**23. Statement of Reasons for matters heard on September 24, 2019:**

- a. Emanuela Leone d/b/a Leone Landscape Co., holder of Leaf Blower Permit #17020, violation for operating during a prohibited period on 07/08/19, \$300.00 fine.
- b. Jane Wolfson, 10 Bates Street, violation for operating during a prohibited period, \$300.00 fine.
- c. BrightView Landscapes, LLC, holder of Leaf Blower Permit #15106, violations of operating during a prohibited period and operating non-compliant leaf blower, \$300.00 fine per violation for a total \$600.00 fine.
- d. Schumacher Companies d/b/a D. Schumacher Landscaping, holder of Leaf Blower Permit #10696, violations of operating during a prohibited period and operating a non-compliant leaf blower; warning (3-0) for operating during a prohibited period and (2-1) \$300.00 fine for operating a non-compliant leaf blower (dissent: Commissioner Bard voted to issue a warning).
- e. Thayer & Associates, Inc.: warning for failure to comply with Cease and Desist Order; violation \$300.00 fine for operating during a prohibited period; violation \$300.00 fine for operating a non-compliant leaf blower; and no violation for operating without a permit.

- f. Carney Horticulture, 11 High Street, Stoneham, violation for operating a leaf blower during a prohibited period, \$300.00 fine.
- g. Garrick Santo, holder of Leaf Blower Permit # 10681, violation for operating during a prohibited period and for using a non-compliant leaf blower, \$300.00 fine for each for a total \$600.00 fine.

**Decision:** All Approved

- 24. John Aquino, Trustee in Bankruptcy, notified the License Commission that Medallion #81 was sold in a private sale to Solo Trans, Inc.

**Decision:** Board acknowledged.

- 25. Application #57506 50 Binney Street, LLC, d/b/a Lilly P's, 50 Binney Street, Common Victualler All Alcohol License # 23300, has applied to amend its current entertainment license to include 3 dart boards and 2 shuffleboard tables.

**Decision:** Granted.

- 26. Deuko Enterprises, LLC d/b/a Thistle & Shamrock, 62 Walden Street, Malt & Wine Package Store License # 11476, is requesting the Board reconsider its vote of September 24, 2019 for a two day license suspension for selling alcohol to an underage person.

**Summary:** The licensee received a 2 days suspension and submitted a request to the Board to reconsider the number of days issued. The Board stressed the serious public safety violation.

**Decision:** Acknowledged; vote affirmed, reconsideration denied.

- 27. Tapas 350, Inc. d/b/a Kika Tapas, 350 Third Street, Common Victualler All Alcohol License #11445, has notified the License Commission that it has closed and will surrender the license.

**Decision:** Board acknowledged. License cancelled/file closed.

- 28. Further discussion of taxi hailing application Waave in light of Legal Opinion received by the City Solicitor pursuant to the Board's vote of August 21, 2019.

**Summary:** On October 23, 2019, the Board discussed the legal opinion received from the City Solicitor, which stated in part, that so long as the Board changed its Hackney Rules and Regulations ("Rules & Regulations") to allow the use of the e-hail applications, the e-hail applications could be used.

**Decision:**

- (1) Change all the necessary portions of the Board's Rules & Regulations to ensure that any Board approved e-hail application and soft meter can be used by licensed hackney vehicles and drivers.
  - (a) E-hail application shall mean any mobile application that: can only be used by licensed hackney vehicles and excludes TNC services such as Uber and Lyft; hails a Cambridge license hackney vehicle; provides up-front trip pricing upon the e-hail request; allows the Cambridge licensed hackney driver to accept the request for the e-hail and the predicted up-front price; allows automatic payment through the mobile application; and prohibits the use of the taximeter when in use, except when it is only used to hail the vehicle and not to provide a trip price prediction.
  - (b) A soft meter is an electronic device which calculates distance rates with GPS or on-board diagnostics.
- (2) The approval of the e-hail application is valid when it is licensed by the Board as a dispatch service and the approval of the soft meter is valid when identified by the Board as a valid meter or taximeter.
  - (a) The dispatch service license application is to be considered by the Board on a case-by-case basis during the administrative portion of its meeting, unless otherwise decided by the Chair.
  - (b) As of October 23, 2019, any individual or company that provides an e-hail application may submit an application to request to be licensed as a dispatch service.
  - (c) The approval of the soft meter of each e-hail application is done simultaneously with the dispatch license application.
- (3) Th Board will issue a notice to all hackney licensees identifying any application and/or soft meter approved within three business days of its approval.
- (4) To avoid any delays in the adoption and implementation of the necessary changes in the Rules & Regulations, the Board designated the Chair, or the Chair's designee, as the person to make the necessary changes and reprint the Rules and Regulations with the changes consistent with the votes and without the need for further approval in an upcoming meeting.

**Special Noise Variance Applications:**

29. Application #57717 Harrison Bond, on behalf of Turner Construction, has applied for a Special Noise Variance for a crane set up, trucks and rigging at 238 Main Street, from October 25 through November 16, 2019, with alternate dates of October 26 through November 16, 2019 weekdays from 6:00 p.m. to 10:00 p.m. and Saturday and Sunday from 7:00 a.m. to 9:00 a.m. and 6:00 p.m. to 10:00 p.m.

**Decision:** Granted with the requirement that a Sunday work permit must be obtained from CPD.

30. Application #57945 Harrison Bond, on behalf of Turner Construction, has applied for a Special Noise Variance from October 25 through November 9, 2019, with alternate dates of October 26 through November 10, 2019 weekdays from 3:00 a.m. to 7:00 a.m. and weekends from 3:00 a.m. to 9:00 a.m. at 65 Waverly Street, working in coordination with the City on Main Street.

**Decision:** Granted with the requirement that a Sunday work permit must be obtained from CPD.

31. Joe Shannon, on behalf of Crown Castle, has requested reconsideration of the denial of Application #55579 for a quarterly special noise variance, for emergency work purposes only.

**Present:** Joseph Shannon.

**Summary:** Pursuant to follow-up correspondence received from Crown Castle and further Board discussion on October 23, 2019, the Board reconsidered its denial of Special Noise Variance application # 55579. The Board discussed the proactive nature of the application and steps to ensure that if granted, it would not be abused.

**Decision:** The Special Noise Variance ("Variance") is granted, in limited fashion and on a case-by-case basis. Specifically, Crown Castle will only be allowed to exercise the Variance after it:

- (a) Sends an email to [noise@cambridgema.gov](mailto:noise@cambridgema.gov) explaining the outage and need to repair it during the Variance dates/hours; and
- (b) Receives a reply email confirmation from the Board of License Commissioners, through the Chair or its designee, that the Variance can be exercised.

If to be exercised on a Sunday, a Sunday Work Permit from the Cambridge Police Department is required.

**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 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. [Time stamp: 1:50:25]*

32. Application # 56657 Christine Aufiero, on behalf of Sacred Heart Parish, has applied for a malt and wine with entertainment license to be exercised at 49 Sixth Street, on 10/26/19 from 6:30 p.m. – 11:00 p.m. for a fundraiser Halloween party with patrons dancing and dj. Expected attendance – 80 people.

**Decision:** Granted; payment is needed.

33. Application # 56812 Bill Manley, on behalf of Harvard Square Business Association, has applied for an entertainment license to be exercised at Brattle Plaza, Brattle Street, on 11/1/19 from 4:00 p.m. – 11:00 p.m. for a Fall Fest – Harvard Homecoming with patrons dancing, live music and amplification system. Expected attendance – 200 people.

**Decision:** Granted pending submission of city permit and subject to any conditions therein. A police detail is required.

34. Application # 57413 Andrea Campbell has applied for an entertainment license to be exercised at Kresge Auditorium, 48 Massachusetts Avenue, on 11/10/19 from 1:30 p.m. – 7:00 p.m. for an orchestra concert with live music. Expected attendance – 700 people.

**Decision:** Granted.

35. Application # 57543 Sharon Zimmerman, on behalf of Cambridge Camping, has applied for an all alcohol with entertainment license to be exercised at Cambridgeside food court, Sears Building, 100 Cambridgeside Place, on 11/1/19 – 3:00 p.m. – 8:00 p.m.; 11/2/19 – 11:00 a.m. – 5:00 p.m.; 11/3/19 – 7:00 a.m. – 1:00 p.m. for a Cambridge half marathon with patrons dancing, dj, live music and amplification system. Expected attendance – 7500 people.

**Decision:** Granted. There must be a limited # of drinks (3) associated with the admission fee. Otherwise/thereafter alcohol must be sold. No alcohol can be served before 8:00 a.m. on 11/3/19. Police detail is required.

36. Application # 56611 Scott Kendall, on behalf of Pemberton Farms, has applied for a malt with entertainment license to be exercised at 2225 Massachusetts Avenue, on 10/26/19 from 1:00 p.m. – 4:00 p.m. for a cider tasting with live music. Expected attendance – 250 people.

**Summary:** Applicant seeks to serve cider only. Per discussion with the ABCC, they are treating cider as “wine.”

**Decision:** Denied as applied and granted for wine only.

37. Application # 57920 Lawrence Spellman, on behalf of North Country Auctions, has applied for a one day temporary auctioneer license to be exercised at 50 Mooney Street, on 10/26/19 from 8:00 a.m. – 4:00 p.m. to auctioned off heavy equipment, trucks and trailers.

**Decision:** Granted.

38. Application # 57994 Kwan Yeung Ng has applied for an entertainment license to be exercised at MIT 50 Vassar Street building 34, on 11/16/19 from 2:00 p.m. – 6:00 p.m. for a movie screening with theatrical exhibition/play/moving picture show. Expected attendance – 300 people.

**Decision:** Granted.

39. Application # 57761 & #58291 Mohamed Iddi has applied for an entertainment and hawkers/peddler (to sell clothing apparel) license to be exercised at Student Organization Center at Hilles, 59 Shepard Street, on 11/2/19 from 4:30 p.m. – 2:00 a.m. for dinner and after party with amplification system. Expected attendance – 150 people.

**Decision:** Granted with hours of 5:30 p.m. to 1:45 a.m. but may remain on site until 2:00 a.m. per HUPD. A police detail is required.

40. Application # 58106 Erik Hahr has applied for a one day hawker/peddler license for (29) vendors to be exercised at Cambridge Center of Adult Education, 42 Brattle Street, on 12/21/19 from 10:00 a.m. – 6:00 p.m. for mistletoe art fair to sell handmade art and craft items.

**Decision:** Granted.

41. Application # 58127 Sooraj Narayan, has applied for an entertainment license to be exercised at Kresge Auditorium, 48 Massachusetts Avenue, on 10/27/19 from 6:00 p.m. – 10:30 p.m. for a cultural show with performers/entertainers dancing, recorded music, live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 800 people.

**Decision:** Granted.

42. Application # 58235 William Ho has applied for an entertainment license to be exercised at Quincy House Dining Hall, 58 Plympton Street, on 11/2/19 from 8:00 p.m. – 10:00 p.m. for a banquet with performers/entertainers dancing, live music and floor show. Expected attendance – 350 people.

**Decision:** Granted.

43. Application # 57991 Bill Manley, on behalf of Harvard Square Business Association, has applied for an entertainment license to be exercised at Palmer Street, on 11/1/19 from 4:00 p.m. – 11:00 p.m. for an outdoor movie with amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 25 people.

**Decision:** Granted pending submission of city permit and subject to any conditions therein.

44. Application # 57918 Darrin Korte, on behalf of Cambridge Community Center, has applied for an all alcohol with entertainment license to be exercised at 5 Callender Street, on 10/26/19 from 11:00 a.m. – 3:00 p.m. for an awards ceremony brunch with patrons dancing, recorded music and amplification system. Expected attendance – 200 people.

**Decision:** Granted. There must be a limited # of drinks (3) associated with the admission fee. Otherwise/thereafter, alcohol must be sold.

45. Application # 58164 & 57547 Jason Alves, on behalf of East Cambridge Business Association, has applied for a malt and wine with entertainment license to be exercised at East Cambridge Savings Bank parking lot, 1310 Cambridge Street, on 10/25/19 from 3:00 p.m. – 10:00 p.m. for annual Halloween event Inmanween with recorded music, amplification system, theatrical exhibition/play/moving picture show and storytelling. Expected attendance – 50 people.

**Decision:** Granted with the condition that must implement a system to identify under 21 year old attendees.

46. Application # 58243 Peter Stein, on behalf of Wit's End, has applied for an entertainment license to be exercised at 1248 Cambridge Street, on 10/27/19 from 6:45 p.m. – 9:00 p.m. for a party with live music and amplification system. Expected attendance – 60 people.

**Decision:** Granted.

47. Application # 58321 Sophia Jamila Zahra has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 11/23/19 with rain date of 11/30/19 from 10:00 a.m. – 4:00 p.m. for a fundraiser with performers/entertainers dancing, recorded music, amplification system, light show and dynamic audio/visual show live/recorded. Expected attendance – 200 people.

**Decision:** Granted.



48. Application # 57605 Eliza Malecki, on behalf of Green Street Studios, has applied for a malt and wine with entertainment license to be exercised at 185 Green Street, on 10/25/19 & 10/26/19 from 5:00 p.m. – 11:00 p.m. for a dance and comedy show with performers/entertainers dancing. Expected attendance – 100 people.

**Decision:** Granted.

49. Application # 58161 Max Serrano-Wu has applied for an entertainment license to be exercised at Harvard-PBHA Parlor Room, on 11/8/19 with rain date 11/9/19 from 7:00 p.m. – 9:00 p.m. with performers/entertainers dancing and live music. Expected attendance – 60 people.

**Decision:** Granted.

50. Application # 58451 Tenzin Bayul has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 11/30/19 from 5:00 p.m. – 11:00 p.m. for a book launch with recorded music, live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 150 people.

**Decision:** Granted.

51. Application # 58405 Edward O'Connor has applied for a malt with entertainment license to be exercised at Propark lot, 41 Church Street, on 12/15/19 from 9:00 a.m. – 1:00 p.m. for a road race with patrons dancing, recorded music, dj and amplification system. Expected attendance – 3500 people.

**Decision:** Granted. There must be a limited # of drinks (3) associated with the admission charge. Otherwise/thereafter, alcohol must be sold.

52. Application # 57903 Nazeli Hagen, on behalf of Harvard-Radcliffe Collegium Musicum, has applied for a one day hawker/peddler license to be exercised at Sanders Theatre, 45 Quincy Street, on 11/1/19 from 8:00 p.m. – 10:00 p.m. to sell sweatshirts, mugs, cd's etc.

**Decision:** Granted.

53. Application #58433 Robin Kelly has applied for a one day wine license at 1000 Massachusetts Avenue on November 6 and 13, 2019 from 5:30-9:00 p.m. for seminars.

**Decision:** Granted pending submission of permission letter and subject to any conditions therein. Alcohol must be sold.

54. Application #58569 Yuxin Chen has applied for a one day entertainment license at Kresge Little Theater, MIT, on November 1-3 and 7-9 from 5:00 to 11:00 p.m. every date except 1:00 to 7:00 p.m. on 11/3.

**Decision:** Granted.

55. Application #58594 Kelsey Lemmon, on behalf of Latitude beverage Company, has applied for a one day wine license on October 27, 2019, with a rain date of October 28, 2019 from 11:00 a.m. to 5:00 p.m. at 95 Prospect Street for an outdoor market.

**Decision:** Granted. Police detail required.

**Late Submissions: Items received after posting of agenda:**

- 56) Application #58530 Andrew Bock, on behalf of EJ Paving, has applied for a Special Noise Variance from October 26 through November 2, 2019 with an alternate date of October 27 through November 2, 2019 weekdays from 6:00 a.m. to 7:00 a.m. and 6:00 p.m., to 7:00 p.m. and Saturday and Sunday from 6:00 a.m. to 9:00 a.m. and 6:00 p.m. to 9:00 p.m. for a City paving project.

**Decision:** Granted. Must obtain a Sunday work permit. No fee as this is a city project.

- 57) The License Commission has received notice that Pentagon Federal Credit Union has sold medallion #174 to BK Transportation, Inc. and medallion #215 to Naby Black Falcon Trans, Inc.

**Decision:** Acknowledged.

- 58) Application #58758 Sahar Omer, on behalf of the Harvard Islamic Society, has applied for a one day Hawker/Peddler License on 10/27/19 from 4:00 to 9:00 p.m. at 59 Shepard Street.

**Decision:** Granted.

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**Board's Approval of Minutes:**

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GEM

Date Minutes Approved: \_\_\_\_\_

Date Approved Minutes Posted: \_\_\_\_\_

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