



CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

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ELIZABETH Y. LINT
EXECUTIVE DIRECTOR

MINUTES FOR THE BOARD OF LICENSE COMMISSIONER'S MEETING Of February 12, 2020

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

Meeting started at approximately 3:03 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.

Applicant/Licensee Testimony Matters

1) Disciplinary S.L.W. & P. Hong Kong Rest., Inc., d/b/a Hong Kong Restaurant, 1238 Massachusetts Avenue, Common Victualler All Alcohol License #11688, to address allegations of whether on December 6, 2019, an employee made improper bodily contact with a patron, in violation of G. L. c. 138, §§ 23 and 64, and Board's Rules, including but not limited to, 2, 2.5, 5.1 and 8.1.

Decision: Continued to March 2, 2020 prior to the hearing.

2) Application #47922 PRL Twenty2o, LLC, 20 Child Street, has applied for a Garage and Flammables License for 184 parking spaces, 1,840 gallons of gasoline in the tanks of autos, 12 gallons of Class I, and 750 gallons of Class II. [Time Stamp: 01:08]

Present: Kristen Thompson and Austin Troy, on behalf of the applicant.

Documents Considered: Application and documents attached thereto.

Summary: The application indicated 12 gallons of gasoline. Applicant confirmed it is just 10 gallons of gasoline for the snowblowers at the premises. All parking spaces are above grade. This is a leased only building.

Decision: Granted with amended quantity of gasoline of 10 gallons, and with the determination that they are not for direct consumption.

3) Application #55625 A and T JCuisine, Inc. d/b/a Menya Jiro, 57 JFK Street, has applied for a new Common Victualler Wine and Malt Beverages License. The proposed hours are 10:00 a.m. to 11:00 p.m. all days with seating for 40, and occupancy of 45. Thuy Huynh as Proposed Manager of Record of a premise described as: 1 floor with a total of 1,750 sq. ft. with 1 entrance, 2 exits. **[Time Stamp: 03:18]**

Present: Attorney Andrew Upton, Thuy Huynh and Linda Tong, applicants.

Documents Considered: Application and documents attached hereto.

Summary: Ms. Huynh will be the manager of record for now. Once it opens, Ms. Tong will be the actual manager. She is TIPS certified. This will be an authentic Japanese ramen restaurant. It is located in the rear of Veggie Grill, through a separate entrance. Wagamama was in the space prior to this and had an alcohol license. They have received a special permit from Zoning. The applicants met with and received approval from the Harvard Square Business Association and the Harvard Square Advisory Committee. It is a family operation. The landlord feels that a sit down Japanese restaurant with alcohol is appropriate for this location. The applicant operates 2 other restaurants and Ms. Tong is manager of record on a liquor license. They will be offering beer, wine and sake. Some of the food is made at a commissary and the rest on site. Saigon Seafood in Dorchester has a liquor license. Saigon Fusion near Symphony Hall does not.

Decision: Granted with the amendment that the seating capacity is 46. Occupancy to be determined by ISD at the conclusion of the buildout. Ms. Huynh is to be TIPS certified.

4) Application #63869 Café ArtScience, LLC d/b/a Café ArtScience, 650 East Kendall Street, Common Victualler All Alcohol License #11543, for a Change of d/b/a to Senses.

Decision: Continued prior to the hearing.

5) Application East West Bridge, LLC, 20 Lincoln Way, has applied for a Livery/Limousine License for one (1) vehicle. **[Time Stamp: 13:53]**

Present: Henok Yared, applicant.

Documents Considered: Application and documents attached thereto.

Summary: Mr. Yared stated that he had applied before was unable to attend the hearing. He has one vehicle and is the only driver.

Decision: Granted.

6) Application Embrace Detail & Autospa, Inc., 929 Massachusetts Avenue, for a New Livery/Limousine License for one (1) vehicle. **[Time Stamp: 15:03]**

Present: Brandon Briscoe, applicant.

Documents Considered: Application and documents attached thereto.

Summary: Mr. Briscoe stated that there is one vehicle but two drivers, Mr. Briscoe and Mr. Randolph III. Mr. Randolph III's current Massachusetts Driver's License is inactive as he has unpaid tickets. Once proof of payment has been made, he may be licensed.

Decision: Granted, as to the livery license and Mr. Briscoe's license. Mr. Randolph III is approved pending release of license suspension from the Massachusetts Registry of Motor Vehicles.

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: 17:53]

7) Application #63545 Deferred from January 29, 2020 Kristen Rummel d/b/a Honeycomb Creamery, has applied to increase the number of seats from 8 to 15.

Summary: Licensee submitted a new floor plan and received approval from Zoning.

Decision: Granted.

8) Application #63530 Nhan Trinh, on behalf of HH Trinh Corp., d/b/a AllStar Sandwich Bar, has applied for a Common Victualler License at 1245 Cambridge Street with seating for 34 and hours 11:00 a.m. to 9:00 p.m. Monday through Thursday, 11:00 a.m. to 10:00 p.m. Friday and Saturday and 11:00 a.m. to 8:00 p.m. Sunday. Applicant is also applying for an entertainment license for background music.

Summary: Mr. Trinh is purchasing the business which currently operates as a common victualler with alcohol. The current application is only for a common victualler with no changes to the floor plan, premises description, hours or capacity. Trinh Corp. has stated that they might apply for a liquor license in the future but not at this time. The current liquor license at the location is a no value, non-transferrable license.

Decision: Granted. The liquor license linked to this location (#11249) will be cancelled and the file will be closed.

9) Application #64872 Joseph Barone, on behalf of Roxy's A4Cade, holder of Common Victualler All Alcohol License #11555, has applied to change their seating capacity to 102 and increase maximum occupancy from 140 inside and 40 outside to 180 inside and 20 outside.

Summary: According to Michael Grover from the Building Department, the maximum capacity of the building (including interior and exterior) is limited to 200 because of the building code as it

pertains to bathroom fixtures. Mr. Grover has approved the change in the capacity per the building code.

Decision: Granted.

10) Application #65760 Zahir Isali, on behalf of Mediterranean Restaurant Group, LLC d/b/a Mediterranean Grill, has applied for a Common Victualler License at 2401 Massachusetts Avenue with 35 indoor seats and 8 seats on a private patio. Hours of operation are 11:00 a.m. to 9:00 p.m. all days. Applicant is also seeking an entertainment license for background music.

Summary: This application is to take over the Fiorella's space. The applicant originally had applied for more seats than were previously licensed at the location, which was 20. However, the applicant confirmed that it was not applying or seeking to change the capacity, or to change the floor plan, premises description or hours of operation. The applicant confirmed it was applying for what Fiorella's had.

Decision: Granted with 20 seats and maximum occupancy of 20.

11) Application #65256 Jack Bardy, on behalf of Wheelings Brattle d/b/a Beat Brew Hall, holder of Common Victualler All Alcohol License #11480 at 13 Brattle Street, has applied to add 2 TV's and trivia to their entertainment license.

Decision: Granted.

12) Application #65466 Joe Toomey, on behalf of Walsh Bros., has applied for a special noise variance February 15 through July 11, 2020 (alternate dates of February 22 through July 18, 2020) from 7:00 a.m. to 9:00 a.m. at 189 Vassar Street for truck deliveries, small equipment and hand tools.

Decision: Granted, with the condition that a Sunday work permit is required.

13) Application #65391 Joe Toomey, on behalf of Walsh Bros., has applied for a special noise variance February 15 through 16, 2020 (alternate dates of February 22-23, 2020) from 7:00 a.m. to 9:00 a.m. and 6:00 p.m. to 7:00 a.m. at 189 Vassar Street to dismantle a crane.

Summary: This is for the time it takes to set up and take down the crane.

Decision: Granted, with the condition that a Sunday work permit is required.

14) Application #65719 Joseph Angulo, on behalf of Turner Construction Co., has applied for a special noise variance from February 15 through March 7, 2020 (alternate dates of February 16 through March 8, 2020), either 2 Saturdays or 2 Sundays from 7:00 a.m. to 9:00 a.m. and 6:00 p.m. to 10:00 p.m. at 238 Main Street for cranes, trucks, rigging and tools.

Summary: This is for safety reasons and to have fewer pedestrians in the area when work is being done.

Decision: Granted, with the condition that a Sunday work permit is required.

15) Notice received from the Alcoholic Beverages Control Commission that University Wine Shop, Inc. d/b/a University Wine Shop, 1737 Massachusetts Avenue, has withdrawn their appeal of a two-day suspension issued by the Board of License Commissioners on October 23, 2019 for the sale of alcohol to a minor on August 29, 2019.

Decision: Acknowledged; the suspension was served on February 3 and 4, 2020.

16) Application #64529 Affirmation of 2017 approval of Common Victualler License, Radheshyam Shrestha, on behalf of Shrestha, Inc. d/b/a Kantipur Café, 117 Hampshire Street.

Summary: The application for the common victualler license had been granted by the Board on July 26, 2017, but the build out of the space took the applicant a long time. The space has been built out and in the final stages of approval. This is just a reaffirmation of the Board's vote.

Decision: Acknowledged, vote of 7/26/17 affirmed.

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: 22:49]

17) Application # 63716 A. Zachary Buchanan has applied for a malt and wine with entertainment license to be exercised at Wasserstein Hall, 1585 Massachusetts Avenue, on 2/28/20 – 3/3/20 from 6:30 p.m. – 10:00 p.m. for a musical play production with performers/entertainers dancing, live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 400 people.

Decision: Granted with hours as applied, doors open at 6:30 p.m., and shows starts at 7:30 p.m., and with the condition that a police detail is required.

18) Application # 64004 Andrea Campbell has applied for an entertainment license to be exercised at Kresge Auditorium, 48 Massachusetts Avenue, on 3/8/20 from 1:30 p.m. – 7:00 p.m. for a concert with live music. Expected attendance – 700 people.

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

19) Application # 64571 Ankica Koldzic has applied for an all alcohol with entertainment license to be exercised at St. Sava Serbian Orthodox Cathedral, 41 Alewife Brook Parkway, on 2/29/20 from 12:00 p.m. – 1:00 a.m. for a fundraiser dinner party with patrons dancing, recorded music, live music and amplification system. Expected attendance – 250 people.

Decision: Granted with an amended start time of 6:30 p.m. per permission letter, and with the condition that a police detail is required.

20) Application # 64551 Ludivine Wolczik, on behalf of French American Chamber of Commerce New England, has applied for a malt and wine license to be exercised at 650 E. Kendall Street, on 3/12/20 from 4:00 p.m. – 9:00 p.m. for a conference/networking event. Expected attendance – 250 people.

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

21) Application # 64740 Patricia Jehlen has applied for an entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 3/8/20 from 4:00 p.m. – 8:00 p.m. for a concert with live music and amplification system. Expected attendance – 100 people.

Decision: Granted.

22) Application # 65043 Chelsea Ellsworth has applied for a malt and wine with entertainment license to be exercised at 288 Norfolk Street, on 2/14/20 from 8:00 p.m. – 9:30 p.m. for a comedy show with performers/entertainers dancing. Expected attendance – 35 people.

Decision: Granted.

23) Application # 65087 Pardis Saffari and Jason Alves, on behalf of the City of Cambridge and the East Cambridge Business Association has applied for an entertainment license to be exercised at East Cambridge Savings Bank parking lot, 1310 Cambridge Street, on 2/13/20, 3/12/20, 4/9/20, 5/14/20, 6/11/20, 7/9/20, 8/13/20, 9/10/20, 10/8/20, 11/12/20 and 12/10/20 from 6:00 p.m. – 8:30 p.m. for a Inman Square event with patrons dancing, performers/entertainers dancing, recorded music, live music, amplification system and theatrical exhibition/play/moving picture show. Expected attendance – 40 people.

Decision: Granted. The fee is waived as this is a City of Cambridge event.

24) Application #65231 Pardis Saffari and Jason Alves, on behalf of the City of Cambridge and the East Cambridge Business Association has applied for a one day hawker/peddler license (to sell waffles, hot sauce, jewelry, ceramics, etc. on 2/13 only) at East Cambridge Savings Bank parking lot, 1310 Cambridge Street, on 2/13/20 from 6:00 p.m. to 8:30 p.m.

Decision: Granted. The fee is waived as this is a City of Cambridge event.

25) Application # 65812 Pardis Saffari, on behalf of the City of Cambridge has applied for one day hawker/peddler license to be exercised in lobby of 1310 Cambridge Street, on 2/13/20, 3/12/20, 4/9/20, 5/14/20, 6/11/20, 7/9/20, 8/13/20, 9/10/20, 10/8/20, 11/12/20 & 12/20/20 from 6:00 p.m. – 8:00 p.m. to sell arts and crafts.

Decision: Granted. The fee is waived as this is a City of Cambridge event.

26) Application # 65234 Amanda Sharick has applied for an entertainment license to be exercised at 10 Akron Street, on 2/13/20 from 7:30 p.m. – 11:00 p.m. for a valentine's ball with patrons dancing, performers/entertainers dancing, recorded music, live music and amplification system. Expected attendance – 150 people.

Decision: Granted with amended hours of 8:00 p.m. - 10:30 p.m. per permission letter.

27) Application # 65406 Brian Williams has applied for an entertainment license to be exercised at MIT Sala de Puerto Rico, 84 Massachusetts Avenue, on 2/14/20 with rain date of 2/15/20 from 8:00 p.m. – 1:00 a.m. with patrons dancing, recorded music and dj. Expected attendance – 500 people.

Decision: Granted.

28) Application # 65465 Jacob Teitelbaum, on behalf of Resilience Gives, has applied for a one day hawker/peddler license to be exercised at 3rd & Binney Street civic space on 2/13/20, 2/14/20, 2/20/20 & 2/21/20 with rain date of 5/14/20 to sell non-slip socks.

Summary: The applicant contacted the License Commission and informed it that it was only seeking a license for February 13 and 14 since they had cancelled the events on the other days.

Decision: Granted for February 13 and 14 only.

29) Application # 65640 Jaime Corins, on behalf of Neural Magic, has applied for malt license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 2/27/20 from 4:00 p.m. – 8:00 p.m. for a charity event. Expected attendance – 30 people.

Decision: Granted.

30) Application # 65845 Tanisha Layne has applied for an all alcohol with entertainment license to be exercised at Cambridge Masonic Hall, 1950 Massachusetts Avenue, on 3/7/20 with rain date of 3/14/20 from 5:00 p.m. – 11:00 p.m. for a baby shower with patrons dancing and dj. Expected attendance – 100 people.

Decision: Granted.

31) Application # 65898 Alida Monaco has applied for an entertainment license to be exercised at 52 Oxford Street, on 2/28/20 with rain date of 2/29/20 from 8:30 p.m. – 11:30 p.m. for a social dance with patrons dancing, recorded music and amplification system. Expected attendance – 100 people.

Decision: Granted.

32) Application # 64337 Deferred from January 29, 2020: Poofydude, LLC d/b/a Wits End, Common Victualler All Alcohol license # 11615, has applied for an entertainment license to be exercised at 1248 Cambridge Street, on 2/27/20, 3/5/20 & 3/19/20 from 7:00 p.m. – 9:30 p.m. for an acoustic/live music event. Expected attendance – 65 people.

Summary: This location is not zoned for live entertainment and based on the number of days requested, the Board sought additional information from the applicant. The applicant stated it was seeking the one days to “test” whether there was a need to add the service and hence go through the zoning/variance process. The Board had sought information from zoning regarding when the requests would become “accessory use.” Zoning confirmed that at this time, the requests would not be considered accessory use. However, any additional requests may trigger a zoning review.

Decision: Granted. No more one day entertainment licenses to be issued unless application goes through zoning and received approval.

33) Application # 66152 Angela Burke, on behalf of Friends of Matenwa has applied for a one day hawker/peddler license to be exercised at 1801 Massachusetts Avenue on 2/14/20 from 6:30 p.m. – 10:30 p.m. to sell arts, crafts, jewelry, metal work, ornaments, scarves, books etc.

Decision: Granted.

34) Application #66287 Geoffrey Padder has applied for a one day Malt license to be exercised at the Wellbridge Athletic Club at 5 Bennett Street from 3:00 p.m.-8:00 p.m. for a tasting.

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

Late Submissions/Additions to the Agenda:

34) Application #66043 Bill Wilbur, on behalf of John Moriarty & Assoc., has applied for a special noise variance for February 15 through May 2, 2020 (alternate dates of February 22 through May 2, 2020) from 7:00 a.m. to 9:00 a.m. at 350 Water Street for power tools.

Summary: This is needed to erect structural steel. They want to make sure the work is sound and can be completed in a day and to not interrupt the Montessori school.

Decision: Granted, with the condition that a Sunday/Holiday Work Permit from the Cambridge Police Department is required.

35) Application #66427 Jennifer Smith has applied for a one day entertainment license for February 16, 2020 at Kresge Auditorium for a concert from 3:00 – 5:00 p.m.

Decision: Granted.

36) Application #66472 Lang Haynes, on behalf of HomeStart, has applied for one day entertainment and hawker/peddler licenses for February 28, 2020 from 11:45 a.m. to 6:00 p.m. for amplified sound and selling sweatshirts for a fundraiser.

Decision: Granted, with an amended start time of 12:00 p.m. per permission letter.

37) Application #66603 David Wright, on behalf of National Water Main Cleaning Co., has applied for a special noise variance on February 17, 2020 (alternate date of February 18, 2020 from 7:00 a.m. to 9:00 a.m. at 147 Hampshire Street for sewer line work.

Summary: This is for public safety reasons and to do the work when there are fewer pedestrians in the area.

Decision: Granted, with the condition that a Sunday/Holiday Work Permit from the Cambridge Police Department is required.

There is no fee as this is a City of Cambridge project.

38) Sandy McCullough, on behalf of Lowhill, Inc. d/b/a Joe Sent Me, holder of Common Victualler All Alcohol License #11389 at 2388 Massachusetts Avenue, has requested the \$750.00 patio fee be refunded as the patio will not be in use for the season.

Summary: The licensee contacted the License Commission to attest that the patio had not been operated in 2020 and that it had no intent to operate it in 2020. The licensee requested a refund of the patio fee. The licensee was informed that if the patio is going to be permanently removed, it must file for an alteration of premises application.

Decision: Granted, refund of patio fee to be issued, and a condition on the license added that there cannot be service of alcohol on the patio.

39) Application #66627 Barbara Norton, on behalf of Patagonia Cambridge, has applied for a one day malt license on February 19, 2020 from 6:30 – 9:30 p.m. at 39 Brattle Street.

Decision: Granted, with the condition that there must be a limited number (# 1) of alcoholic drinks associated with admission charge, otherwise/thereafter, the alcohol must be sold.

40) Application #66737 Marianne Marrone has applied for a one day wine and malt license for a birthday party on February 22, 2020 (rain date February 23) at 2225 Massachusetts Avenue.

Decision: Granted.

41) Application #66816 Jordan Alford, on behalf of MIT Mocha Moves, has applied for a one day entertainment license at the Kresge Auditorium on February 14 and 15, 2020 from 9:00 a.m. to 12:30 p.m. for a dance show.

Decision: Granted, with amended hours of 10:00 p.m. - 12:00 a.m. per permission letter.

42) Consideration of Meeting Minutes for January 29, 2020.

Decision: Approved.

Matter not on agenda, applicant appeared:

43) Application #65464 Edom Lipton has applied for a one day alcohol and entertainment license 31 Church Street from 5:30 p. m. - 9:00 p.m. on March 14 (rain date of March 21).

Decision: Granted.

Board's Approval of Minutes:

JUN 29 2020

NMF [Signature]

Date Minutes Approved: _____

BGB [Signature]

Date Approved Minutes Posted: **JUL 03 2020**

GEM [Signature]