



CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER
CHAIRPERSON | BOARD MEMBER

BRANVILLE G. BARD, JR.
POLICE COMMISSIONER | BOARD MEMBER

GERARD E. MAHONEY
FIRE CHIEF | BOARD MEMBER

ELIZABETH Y. LINT
EXECUTIVE DIRECTOR

Meeting Minutes for the BOARD OF LICENSE COMMISSIONERS' Meeting of Thursday, July 9, 2020

Meeting started at approximately 3:34

Board Members in Attendance: Chair Nicole Murati Ferrer (Present); Commissioner Branville Bard (Present); Chief Gerard Mahoney (Present).

Staff Member in Attendance: Elizabeth Y. Lint

1. Application #66872 Fresh Pond Auto Sales, Inc. 307 Fresh Pond Parkway, has applied for a Garage and Flammables License for 15 parking spaces, 150 gallons of gasoline (Class I) in the tanks of vehicles stored inside the premises; 10 gallons of oil (Class II); and 50 gallons of antifreeze (Class III).

Present: Attorney Jesse Schomer.

Documents Considered: Applications and documents attached thereto.

Summary: This application goes along with a license already granted to the applicant. This is for the gas in tanks of vehicles. The other flammables are for excess in case there is a need to store in small tanks on the premise or if there are other amounts in vehicles.

Decision: Granted 3-0, by roll call vote.

2. Application #71683 Massachusetts Institute of Technology, 25 Hayward Street, has applied for a Garage License for 1,121 parking spaces and 11,210 gallons of fuel in the tanks of autos only.

Present: Gary Amberik, Benjamin Lavery and Dennis Jillson.

Documents Considered: Application and documents attached thereto.

Summary: These spaces are for commercial tenants and students and are for a fee.

Decision: Granted 3-0 by roll call vote.

3. Application #69806 Cambridge Lodging, LLC d/b/a The Hotel Marlowe, 25 Edwin H Land Boulevard, All Alcohol Innholder License #10888, has applied for a Change of Ownership Interests.

Present: Attorney Andrew Upton.

Documents Considered: Application and documents attached thereto.

Summary: This is a matter where the parent company is changing structure from a corporation to an LLC. There are no other changes.

Decision: Granted 3-0 by roll call vote.

4. Application #70821 Columbia Village, LLC, 387 Columbia Street, has applied for a Garage License for 6 parking spaces and 60 gallons of fuel in the tanks of autos only.

Present: James Patoulis.

Documents Considered: Application and documents attached thereto.

Summary: These spaces are already licensed but there is a change in ownership.

Decision: Granted 3-0 by roll call vote.

5. Application #72043 One Russell Street Condominium, 1 Russell Street, has applied for a Garage License for 26 parking spaces and 260 gallons of fuel in the tanks of autos only.

Present: No one appeared.

Documents Considered: Application and documents attached thereto.

Summary: The Board considered the application. There was a vote which was rescinded as the applicant did not notify abutters.

Decision: Matter continued to next available agenda.

6. Application #73033 BMR-Fresh Pond Research Park, LLC, 45 Moulton Street, has applied for a Flammables License for 250 gallons of Class 2.

Present: Arthur Hildreth on behalf of the applicant and Ken Foley.

Documents Considered: Application and documents attached thereto.

Summary: This is a belly tank which stores the diesel fuel for the generator. It is located on the loading dock. There is only one tank. Opposition had been received which indicated that there may be more than one tank. Ken Foley, on behalf of the condo association, opposed the application.

Decision: Granted 3-0 by roll call vote.

7. Application #75648 The Commonwealth of Massachusetts, 11 Education Street, has applied for a Flammables License for 9,990 gallons of Class 1 and 9,990 gallons of Class 2.

Present: Robin Pfetsch.

Documents Considered: Application and documents attached thereto.

Summary: This is a state facility run by the DCR. It is a DPW type facility used to maintain the Boston/Cambridge areas for trash, snow removal and floods. The fuel is for their vehicles.

Decision: Granted 3-0 by roll call vote.

8. Application #70868 H Mart Cambridge, LLC d/b/a H Mart, 581 Massachusetts Avenue, has applied to transfer the All Alcoholic Package Store License held by Libby's Market, Inc., 575 Massachusetts Avenue. Applicant is also applying for a Change of Location to 581 Massachusetts Avenue and Alteration of Premise description. William Denby Wood as Proposed Manager of Record of a premise described as: 20,500 square feet with 4 entrances and 4 exits.

Present: Attorney Andrew Upton and William Wood.

Documents Considered: Application and documents attached thereto.

Summary: Mr. Upton addressed the public need at this location. H Mart is a very popular market with a unique product mix. They would add unique alcohol products including whiskey's sake, beers and other products that are not readily available and which their patrons ask for. They sell these types of products in their other markets. This is also a move of the license from 2 doors down which they see as a better use of the license. It will have a lower impact as it will not sell lower end products. The coolers will be repurposed to store the alcohol. They are currently open 8 a.m. to 9 p.m. They will not open before 8 or after 11. Mr. Wood stated that the managers are all TIPS certified. The registers require everyone to be carded and they are aware of the issues surrounding sale of alcohol. The closing transaction will take place once the license is approved by the ABCC.

Decision: Granted 3-0 by roll call vote.

9. Application #74916 KA & SI Enterprises, Inc. d/b/a City Market, 1695 Massachusetts Avenue, has applied to transfer the Wine & Malt Package Store License held by Salt & Olive, Inc., 36 JFK Street. Applicant is also applying for a Change of Location to 1695 Massachusetts Avenue, Alteration of Premise description, and Pledge of License/Inventory. Krishna Khatri as Proposed Manager of Record of a premise described as: Approximately 1,250 square feet with one entrance and one exit.

Present: Attorney Ben Levin, Omesh Panero, Sushel Pavel and Krishna Khatri.

Documents Considered: Application and documents attached thereto.

Summary: This is an existing license currently in Harvard Square, and the applicant is requesting it be moved to their market at 1695 Mass. Ave. The market currently operates at that location. The applicants have another location and have a significant amount of experience in sale of alcohol. Patrons have requested that they sell beer and wine. The market currently operates 8:00 a.m. to 9:00 p.m. They will only operate within statutory hours. They will add coolers for beer and wine. The check out machines require scanning of ID's.

Decision: Granted 3-0 by roll call vote with the condition that if the store is open during non-statutory sale hours, the alcohol is to be secured. Mr. Khatri is to complete TIPS training.

10. Application #61667 Continued from March 2, 2020. Goodnight Banana, LLC d/b/a Gracie's Ice Cream, 399 Binney Street Ste. 2, has applied for a new Common Victualler All Alcohol Beverages License. The proposed hours of operation are 7:00 a.m. to 11:00 a.m. Sunday through Thursday and 7:00 a.m. to 12:00 a.m. Friday and Saturday with alcohol sales starting after 11:00 a.m. on Saturday and Sunday and after 12:00 p.m. Monday through Friday. Proposed seating for 20 inside and 9 seats outside on a private property. Aaron Cohen as Proposed Manager of Record of a premise described as: 750 sq. ft. on the first floor. One room and a bathroom, and no access to additional floors. There is one entrance and exit towards the front. Open kitchen behind the ice cream counter and bar.

Present: Aaron Cohen and Chris McClelland.

Documents Considered: Application and documents attached thereto; information presented at prior hearing.

Summary: The concept is to sell coffee and pastries as well as sandwiches and salads, and their homemade ice cream, milk shakes, and beer, wine and simple cocktails. They don't infuse alcohol in their products. They comply with the T, T, B. They are not required to have an exemption as the amount of alcohol is less than 2% and is a non-beverage product. They will comply with all T, T, B regulations and the ABCC advisory. They are hoping to create a unique place in the area for neighbors to gather. They are hoping to open mid- August or September. Mr. Cohen has extensive experience with the sale of alcoholic beverages. Both are TIPS certified.

Decision: Granted 3-0 by roll call vote.

11. Application #73950 Beantown Loyalty Corporation d/b/a Beantown Taqueria Café, 150 Western Avenue, has applied for a new Common Victualler License with proposed hours of 8:00 a.m. to 11:00 p.m. all days with seating for 18 inside, an occupancy of 24, and 18 seats on a patio on private property. Hugo Mendez as proposed manager of record of a premise described as: 700 square foot corner location with a patio area in the front. It has three doors, only two operational for two exits. It's one whole room separated by a table with where the cashier is at. There is a small room that services as a bathroom. We have two TVs mounted and we also have a wireless speaker.

Present: Hugo Mendez. Kim Courtney spoke in favor of the application.

Documents Considered: Application and documents attached thereto.

Summary: This is a change of ownership of Beantown. They will not have anyone sitting inside now. They be increasing their occupancy once things return to normal.

Decision: Granted 3-0 by roll call vote.

Administrative Matters

12. Application #70309 Jaspreet Singh has applied for a new hackney driver's license.

Summary: This is a current medallion owner and there is no issue with his background.

Decision: Granted 3-0 by roll call vote.

13. Application #76575 Carl Howard, on behalf of Newport Construction has applied for a special noise variance Monday into Tuesday- 7/13-7/14/2020 with an alternate date of 7/20-7/21/2020 from 6:00 PM-7:00 AM. This is a City Job- Final paving of Eliot Street from Mt. Auburn to JFK. Paving, dumping, excavating, jackhammering and saw-cutting (minimal). Work is necessary due to work in the proximity of the MBTA overhead lines.

Decision: Granted 3-0 with amended days of Sunday into Monday July 12 to 13 with and alternate date of July 19 to 20. A Sunday work permit is required.

14. Application #79230 Matt Burnham, on behalf of McCourt Construction, has applied for a special noise variance 7/9 through 7/10, alternate date of 7/19 through 7/20 from 6:00 p.m. to 5:00 a.m. for paving from 3rd St. to Gore St. and side streets and driveways.

Decision: Granted 3-0 by roll call with amended dates of July 14-15 and alternate date of 15 to 18. The extra dates are for weather ad abutters have been notified.

15. Application #79264 Aaron Butler, on behalf of Consigli Construction, has applied for a special noise variance Saturdays only July 11 through 9/26 with alternate dates of 7/18 through 10/3 from 7:00 a.m. to 9:00 a.m. at 450 Water St. for setting up equipment and use of corded/cordless tools.

Decision: Granted 3-0 by roll call vote.

16. Application #79716 Mark Venuto, on behalf of Lee Kennedy & Co., has applied for a special noise variance from 7/13 through 7/17 with alternate dates of 7/20 through 7/24 from 12:00 a.m. to 6:00 p.m. for Main Street water tie in.

Decision: Granted 3-0 by roll call vote amended dates of July 20 through 24 and alternate dates of July 27 through July 31 from 12 a.m. to 7 a.m. weekdays only.

17. Ratifications of approvals of Temporary Extensions of Licensed Premises to Outdoor Area Due to COVID-19, pursuant to Boards' vote of June 8, 2020: See attached list.

Decision: Approved as to all, 3-0 by roll call vote.

Continued from March 2, 2020:




17. Disciplinary Azzam Development and/or SKC Properties and/or its employees for alleged violations of Cambridge Municipal Code 8.16.080(F) at 45-47 Granite Street on: (1) September 2, 2019 at approximately 7:15 a.m.; (2) November 14, 2019 at approximately 6:21 a.m.; (3) November 16, 2019 at approximately 7:00 a.m.; (4) January 29, 2020 at approximately 7:15 p.m.; (5) January 30, 2020 at approximately 6:40 a.m.; and (6) January 31, 2020 at approximately 6:10 p.m.
A waiver of hearing has been filed.

Summary: A waiver of hearing was filed by the company, admitting to the violations.

Decision: The Board voted 2-0 by roll call to find a violation for all dates and issued a \$300 fine for each. ¹

18. Disciplinary S.L.W. & P. Hong Kong Rest., Inc., d/b/a Hong Kong Restaurant, 1238 Massachusetts Avenue, Common Victualler All Alcohol License #11688, for allegation of employee making improper bodily contact with a patron on December 6, 2019, in violation G. L. c. 138, §§ 23 and 64, and Board's Rules 2, 2.5, 5.1 and 8.1.

Decision: The Board voted 2-0 by roll call vote to find no violation. ²

 NMF
 BGB
 GEM

Date Minutes Approved AUG 04 2020

Date Minutes Posted AUG 04 2020

¹ Chair Murati Ferrer abstained as she was not present on March 2, 2020.

² Chair Murati Ferrer abstained as she was not present on March 2, 2020.